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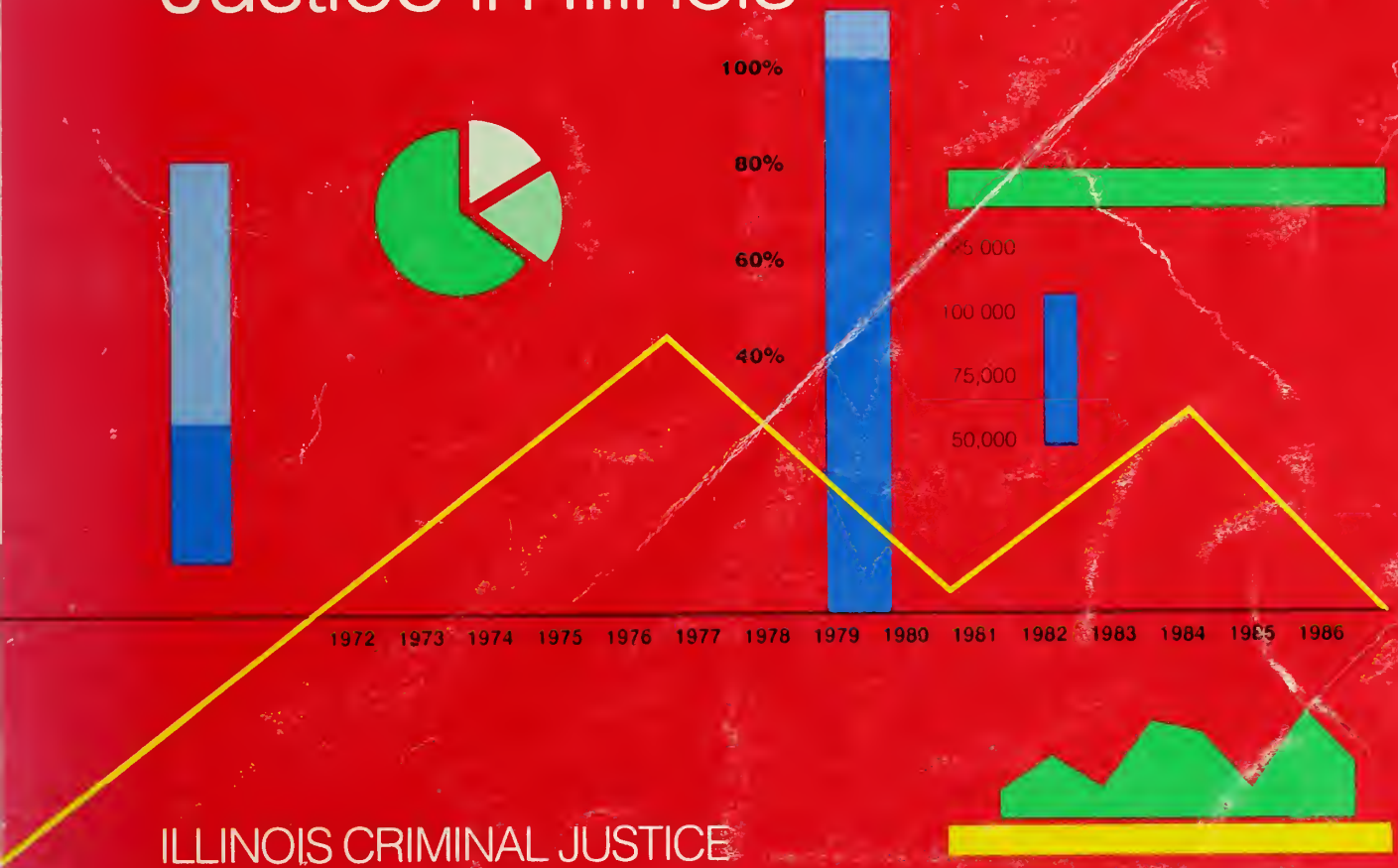
TRENDS AND ISSUES

Criminal and Juvenile Justice in Illinois



ILLINOIS CRIMINAL JUSTICE
INFORMATION AUTHORITY

Message from the Executive Director

Trends and Issues is the first attempt in several years to paint a comprehensive statistical portrait of crime and justice in Illinois. It is, in essence, a "state of the state" report devoted specifically to criminal and juvenile justice and their components — law enforcement, prosecution, the courts, and corrections. Because the report includes both historical information and projections of certain future trends, it should help professionals and laymen alike in understanding not only what has already happened but also what to prepare for in the future.

The development of this report has required the Authority to invest substantial resources in it. Why is it necessary? Clearly, part of the answer lies in continued public concern over crime. Annual surveys by the Harris and Gallup organizations indicate that Americans consistently rank crime as a top problem facing society. The National Crime Survey, conducted annually by the U.S. Department of Justice, shows why. According to the survey, one in four U.S. households was touched by a crime of violence or theft in 1985. That percentage topped such other "negative life events" as an injury in an accident at home, an injury in a motor vehicle accident, or a residential fire.

But this report responds to more than just public concern. It also deals with the changing nature and focus of criminal justice in Illinois. Several key issues that have emerged in recent years are explored in the report — the problems posed by serious and repeat offenders and the empowerment of crime victims are two important examples. Criminal justice agencies throughout Illinois are already devoting resources to both of these issues, and each one will continue to be an important focus of our justice system for the rest of this decade and beyond.

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I commend the Authority's research and editorial staffs for their work in producing *Trends and Issues*. Making sense out of the volumes of statistics and other information dealing with criminal and juvenile justice in Illinois was no easy task. But our staff accomplished that goal. I hope you agree as you read the report for the first time — and continue using it in the future. If you have any comments or criticisms, I also hope you will share them with us by completing the evaluation at the end of the report. Your comments will help us ensure that future research meets your information needs.

Finally, a word about our data. The statistics presented in this report are the most up-to-date, reliable figures that were available to us, and we will gladly make the raw data and data sources available to anyone who would like to use the information for further research. However, as the report itself indicates, there are serious shortcomings with some of the criminal justice data maintained in Illinois. Inconsistent or poorly documented reporting procedures, the absence of certain baseline data, and delays in the compiling and publishing of aggregate statistics were a few of the problems the Authority encountered in preparing this report. If we are serious about using research to identify and solve the increasingly complex problems that confront criminal justice in Illinois, such data problems must be overcome.

Sincerely,

J. David Coldren
Executive Director

August 1987

TRENDS AND ISSUES

Criminal and Juvenile Justice in Illinois

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ILLINOIS CRIMINAL JUSTICE
INFORMATION AUTHORITY

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This report is the result of a nine-month effort by the Authority's Research and Analysis staff. Primary credit for the report goes to the chapter authors, who brought order and sense to the multitude of information that exists about criminal and juvenile justice in Illinois. Also instrumental, however, were several staff members who reviewed numerous drafts of the report and who offered something just as valuable — their continuous advice and encouragement.

The Authority called on dozens of criminal justice agencies and other organizations from throughout the state for help in gathering and interpreting the statistical data that form the foundation of this report. While these agencies are too numerous to identify individually, the comprehensiveness of the report and the accuracy of the data attest to their efforts.

John Firman
Associate Director for Research and Analysis

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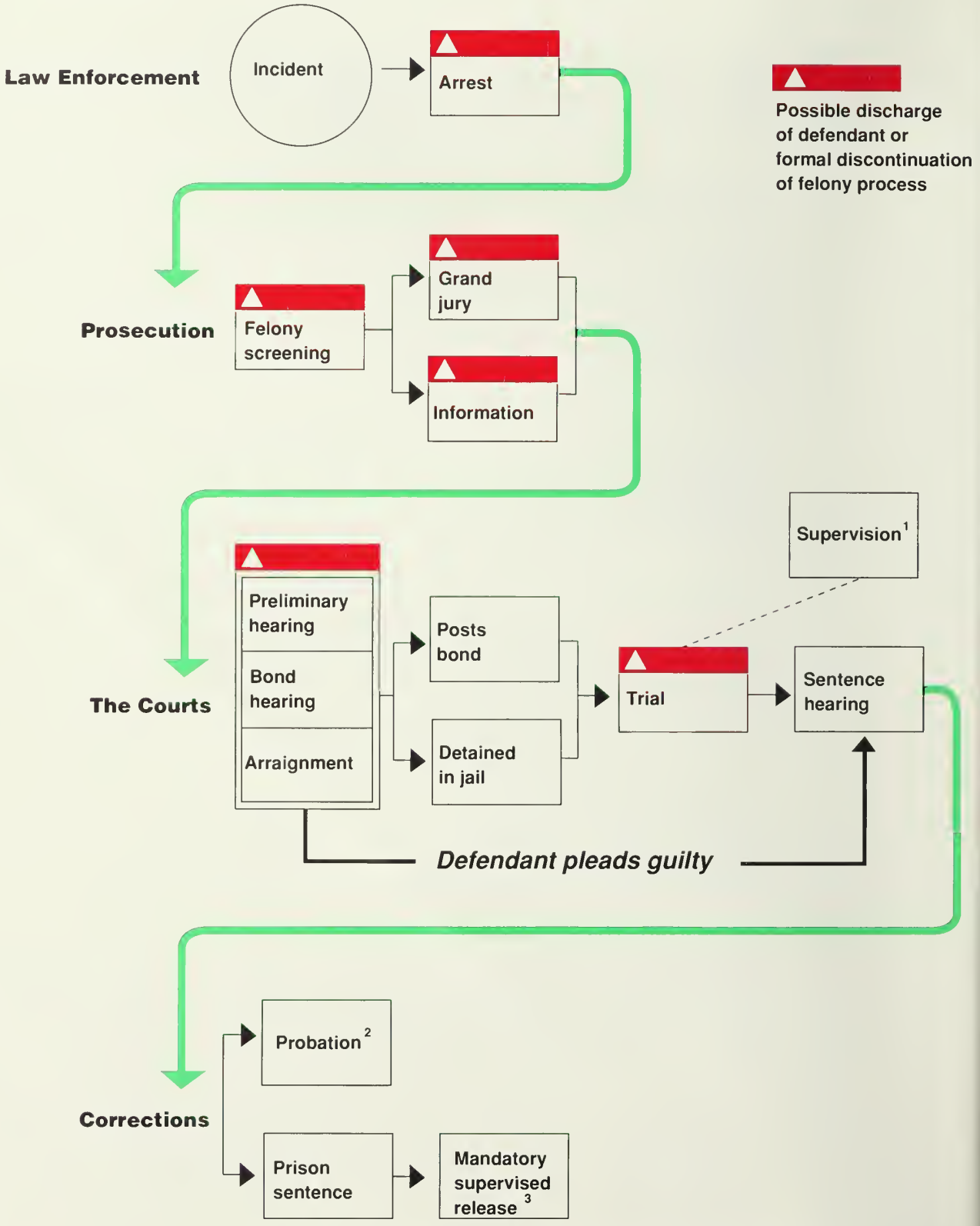


[1] After successful completion of court supervision, charges may be dismissed
[2] Or other form of court supervision, such as conditional discharge
[3] Or other conditional release from prison

INTRODUCTION

When a crime takes place in Illinois, it can set off a complicated chain of events involving a variety of public officials — police officers, prosecutors, judges, correctional managers, and others — representing different levels of government — local, county, and state. Even given a simplified view of how felony cases are processed in Illinois (as depicted in the flowchart on the facing page), it's not surprising that many people don't understand how the criminal justice system works — or perhaps doubt that the system works at all.

Regardless of one's perception of criminal justice, however, one fact remains: crime and justice affect the quality of life of almost everyone. According to one federal study, five out of every six U.S. citizens can expect to be victims of at least one actual or attempted violent crime during their lifetimes from age 12.[1] Nearly everyone can expect to be the victim of at least one personal theft, and seven out of eight persons are likely to be theft victims three or more times during their lives.

Even people who have never been victims themselves are touched by crime. Crime, or the fear of crime, can influence not only individual behavior but also the character and quality of entire communities. And because criminal justice is a publicly funded system, it at least indirectly affects every taxpayer. In 1985, for example, nearly 7 percent of all state and local government spending in Illinois — approximately $171 per person — went for police protection, judicial and legal services, and corrections.[2]

This report is designed to help *all* Illinoisans — interested citizens as well as practicing professionals — better understand our criminal justice system. For the first time in several years, basic information about criminal justice in Illinois — how it is structured, how it operates, and what statistical data reveal about recent trends — has been compiled into a single document that relies heavily on graphics and a non-technical format.

The report has five chapters, one each covering law enforcement, prosecution, the courts, corrections, and juvenile justice. Each chapter includes three parts:

1) *Overview* explains how each component of the system is organized, what its constitutional and statutory responsibilities are, and how those responsibilities are executed.

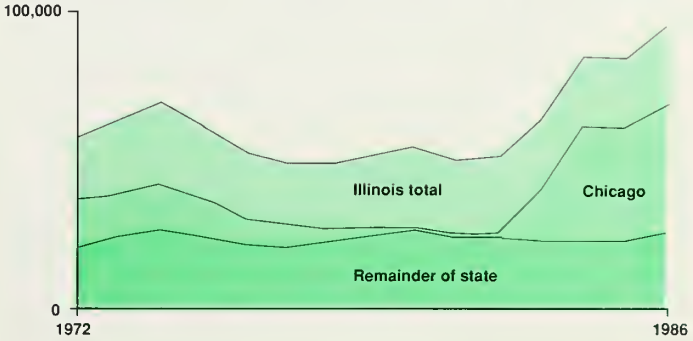
2) *The Data* documents the sources of information that are used in the chapter, and explains any data-quality issues that readers should consider when interpreting the statistics.

3) *Trends and Issues* presents statistical documentation of recent directions in criminal justice, and in some cases, projects what trends are likely to occur in the future.

Each chapter includes both baseline information about that component of the system and more specific data about particular trends and issues. For example:

- Chapter 1 (*Law Enforcement*) documents reported offense and arrest patterns since 1972, and projects how these trends will change through 1990. It reveals, for instance, that nearly 37,000 more violent crimes were reported in Illinois in 1986 than in 1972 and that in recent years, more than 70 percent of the violent crimes statewide were reported in Chicago. This chapter also examines what weapons are used to commit violent crimes in Illinois, which crimes are most likely to be cleared, and what the most "crime-prone" age groups are.
- Chapter 2 (*Prosecution*) covers how many cases prosecutors file, what the dispositions of felony cases

LAW ENFORCEMENT: Reported violent crime.



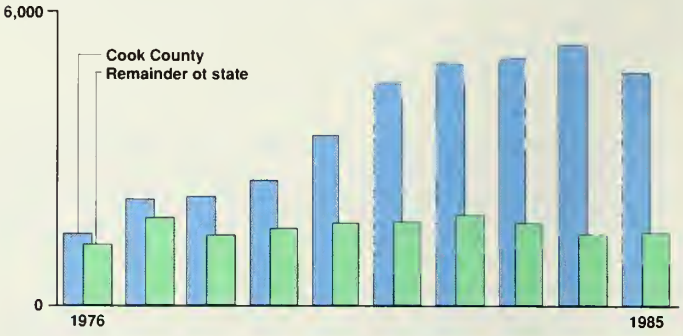
typically are, and how the appeals process works. It shows, for instance, that the number of felony trials disposed of in Cook County more than tripled between 1978 and 1984, while in the remainder of the state, the number remained steady. This chapter also describes the services offered to crime victims in Illinois and how public defense is organized in the state.

- Chapter 3 (*The Courts*) explores more completely the dispositions of felony cases and the sentences that convicted felons receive. For example, the chapter reveals that among felony cases that went to trial in Illinois in 1985, convictions outnumbered acquittals by about 4-to-3. This chapter also examines judicial bond decisions and Illinois' probation system, which is managed by the courts.
- Chapter 4 (*Corrections*) covers both county jails and state prisons. The historical factors that led to today's record inmate populations — and what prison population trends are expected in the future — are explored. This chapter also details the demographic and criminal history characteristics of state prisoners, examines how long offenders are being incarcerated, and explores recidivism among former prison inmates in Illinois.
- Chapter 5 (*Juvenile Justice*) examines similar functions — law enforcement, adjudication, and corrections — as they apply to juvenile offenders in Illinois. What types of crimes juveniles are taken into custody for, how many suspected young offenders are brought to court (including, in recent years, some who are being tried as adults), and what happens to young people who are found to have violated the law are all explored. The chapter, for instance, shows that juveniles account for a disproportionately high number of arrests for serious property crimes, especially burglary.

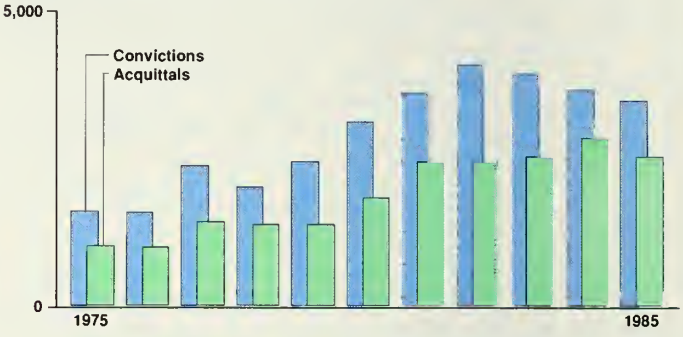
In some cases, patterns that are evident within individual parts of the system actually reflect larger trends and issues in criminal justice. In recent years, two such issues have become highly visible in Illinois: the identification, apprehension, and incarceration of serious and repeat offenders, and the empowerment of crime victims.

The emphasis on serious and repeat criminals is rooted in a growing body of research which shows that much of the crime in our communities is committed by a small number of hard-core offenders.[3] In Illinois, lawmakers and criminal justice officials alike have recognized the problems posed by these offenders and have responded with various laws and policies. Since 1978, for example, the Illinois General Assembly and Governor James R.

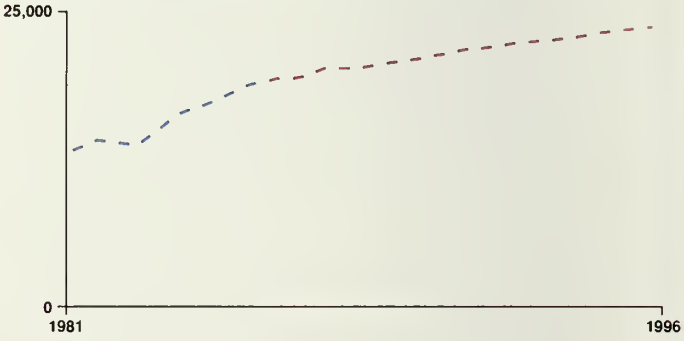
PROSECUTION: Felony trial dispositions.



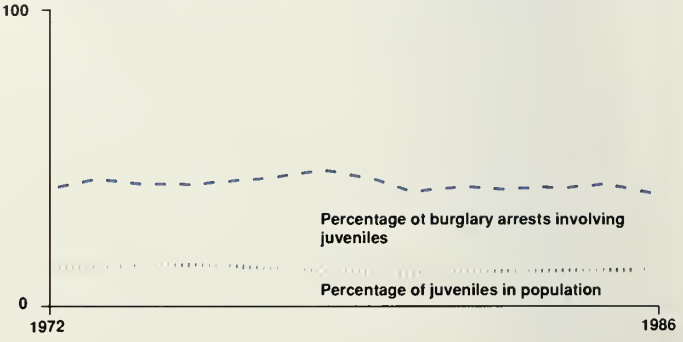
THE COURTS: Felony trial convictions and acquittals.



CORRECTIONS: Projected Illinois prison population.



JUVENILE JUSTICE: Burglary arrests involving juveniles.



Thompson have enacted several measures designed to identify serious and repeat criminals and to improve public safety:

- **A determinate, or "flat-time," sentencing structure.** Under this system, each convicted offender is sentenced to a fixed number of years in prison without the possibility of parole. Previously, criminals were sentenced to a range of years in prison, and they could be released at the discretion of the state's parole board after serving only a fraction of their sentences. Now, fixed prison sentences can be reduced only through good-conduct credits prisoners earn. Consequently, all offenders serving determinate sentences must serve in prison a minimum of approximately half of the sentences imposed by the courts.
- **Class X,** a special category of serious offenses that includes such crimes as attempted murder, armed robbery, and aggravated criminal sexual assault. Convicted Class X criminals are not eligible for probation or other alternative sentences — they *must* serve prison sentences.
- **Habitual offenders.** A variety of statutes automatically upgrade certain offenses to more serious crimes if the defendant is a repeat offender.
- **Bail reform.** Under an amendment to the Illinois Constitution, drafted by the General Assembly and approved by state voters in November 1986, judges can deny bail to suspects accused of certain serious crimes if, among other things, the person would pose a danger to the community if released on bail.
- **Serious juvenile offenders.** Various laws now require that juveniles accused of certain very serious crimes be tried in adult court and that some serious juvenile offenders serve mandatory detention sentences.

Meanwhile, crime victim advocates in recent years have lobbied government officials to consider the rights of victims, not just those of defendants, during criminal proceedings. In Illinois, the General Assembly and Governor Thompson responded by establishing a crime victims' "bill of rights," which ensures the fair and compassionate treatment of victims.[4] Among other things, the 1984 law requires criminal justice officials to keep victims informed of developments in their cases and to help victims seek special services and monetary assistance.

Both the federal government and Illinois have established special programs to help victims cope with their suffering, to encourage them to testify against suspects, and to compensate victims for financial losses associated with their victimizations. In the last two years, for example, the Illinois Criminal Justice Information Authority has awarded approximately $3 million in federal Victims of Crime Act funds to support a variety of service and educational programs for crime victims in Illinois, particularly victims of domestic violence, sexual assault, and child abuse. And since 1980, more than 5,250 crime victims have collected nearly $16.8 million through Illinois' Crime Victims Compensation Program.

These trends — the emphasis on serious and repeat offenders and on victims' rights — are just two examples of how Illinois' criminal justice system has responded to specific needs in recent years. Other issues — and other approaches — exist as well. The challenge facing criminal justice officials is to identify emerging problems and to develop creative solutions.

This report will help state and local officials in Illinois better meet this challenge. At the same time, it will help citizens better comprehend the complex nature of criminal justice in Illinois. Both of these results will further the ultimate goal of criminal justice research: to make criminal justice a more responsive, more efficient system.

Notes

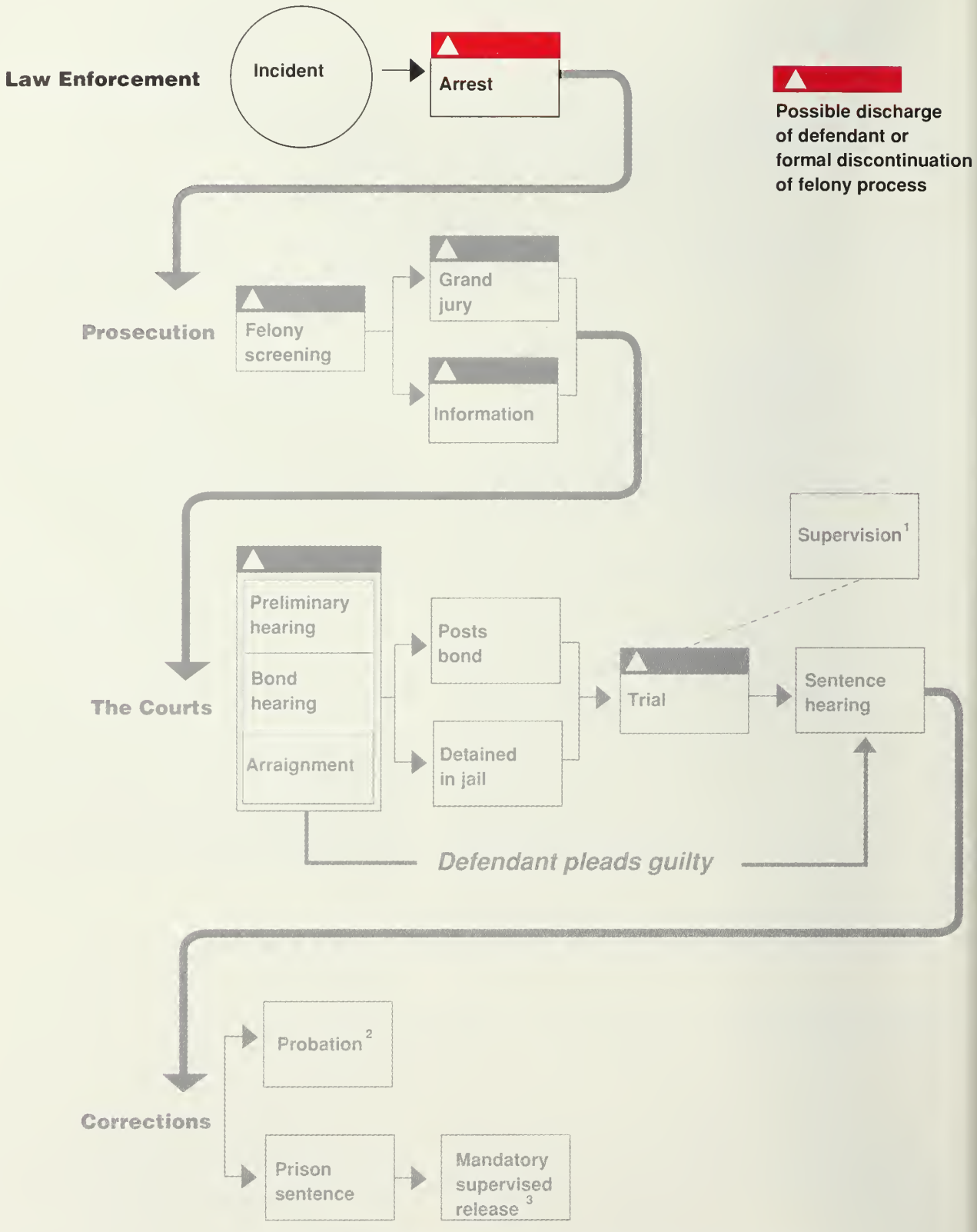
[1] Herbert Koppel, *Lifetime Likelihood of Victimization* (Washington, D.C.: Bureau of Justice Statistics, 1987).

[2] *Justice Expenditures and Employment, 1985* (Washington, D.C.: Bureau of Justice Statistics, 1987).

[3] See, for example, Joan Petersilia, "Criminal Career Research: A View of Recent Evidence," in *Crime and Justice: An Annual Review of Research* (Chicago: University of Chicago Press, 1980). Also see *Returning to Prison* (Washington, D.C.: Bureau of Justice Statistics, 1984) or *Repeat Offenders in Illinois* (Chicago: Illinois Criminal Justice Information Authority, 1985).

[4] Ill.Rev.Stat.1985, ch. 38, par. 1401 et. seq.

An Overview of Felony Processing in Illinois



[1] After successful completion of court supervision, charges may be dismissed
[2] Or other form of court supervision, such as conditional discharge
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LAW ENFORCEMENT

Overview

Many crimes that occur never become known to the police. According to national estimates, for example, only about half of all violent crimes are reported to the police.[1] Among property crimes, one-quarter of the larceny/thefts, one-half of the burglaries, and 70 percent of the motor vehicle thefts are reported.

The most common way in which a crime *does* become known to police is for the victim to report it. Other crimes become known when a law enforcement officer either witnesses a crime in progress or uncovers evidence of a crime during patrol duties. A citizen other than the victim may also witness a crime (or find evidence that one occurred), and then report the crime to the authorities. But regardless of how a crime becomes known to the police in Illinois, a municipal police or county sheriff's department is likely to be the first criminal justice agency to respond.

HOW IS LAW ENFORCEMENT ORGANIZED IN ILLINOIS?

In Illinois, as in most other states, law enforcement is highly decentralized. Although both the federal and state governments support some law enforcement efforts in the state, most police services are organized, administered, and financed at the local or county level. In 1986, for example, there were —

- 793 municipal police departments in Illinois, which employed slightly more than 25,000 full- and part-time sworn officers. Nearly half of the sworn officers in the state work for the Chicago Police Department. Although many police departments are involved in a variety of community service activities, their primary responsibility is to enforce state laws and local ordinances.
- 102 sheriffs' departments, with a total of more than 3,300 sworn officers. Besides providing police services in unincorporated areas of their counties, sheriffs' departments operate county jails, provide security for courts and other public buildings, and assist municipal police departments.
- A variety of state-level law enforcement agencies, the largest of which is the Illinois Department of State Police (DSP). In 1986, DSP's Division of State Troopers employed nearly 1,700 officers to enforce laws on state and interstate highways in Illinois. DSP's Division of Criminal Investigation had another 424 officers to investigate major crimes, such as large-scale drug offenses, and to help local police departments with special short-term needs. DSP also employed 44 officers in its Division of Internal Investigations. In addition, the Illinois Secretary of State's Office employed 170 officers in 1986 to enforce Illinois' Motor Vehicle Code, and the Department of Conservation had 137 officers to carry out various fish, game, forestry, and boating laws.
- 32 colleges and universities, 30 railroads, 13 park districts, four forest preserves, three airports, two hospitals, and one civic center that maintained law enforcement agencies.
- More than 700 licensed private-security and private-detective agencies that provided guard, patrol, and investigative services to individuals and companies.

WHAT ARE THE TYPICAL FUNCTIONS OF LAW ENFORCEMENT AGENCIES?

If the law enforcement function is narrowly defined as applying sanctions (that is, arrests) to behavior that violates legal standards, then police actually spend only a small portion of their time enforcing the law. Some studies have suggested that only about 10 percent of the citizen complaints relayed to the police require enforcement of the law.[2] More than 30 percent of the calls are appeals to maintain order (for example, to mediate a family dispute or to disperse an unruly crowd), 22 percent are for information-gathering activities (asking routine questions at a crime scene, inspecting victimized premises, and completing forms needed to register criminal complaints), and 38 percent involve service-related duties (assisting injured persons, animal control, or fire calls).

The information-gathering activities are often the primary techniques police use to identify suspects during a criminal investigation. These activities are part of the overall detection process used when a crime has been committed, but a suspect has not been identified or, if already identified, has not been apprehended. Police occasionally use undercover techniques when someone is suspected of participating in criminal activity, yet no specific crime has been detected. For example, by posing as drug buyers, police investigators may discover a drug sale that will implicate someone suspected of being involved in an organized drug-trafficking operation.

HOW DOES A LAW ENFORCEMENT OFFICER EXECUTE AN ARREST?

Once sufficient evidence has been gathered, law enforcement officers may then arrest those persons suspected of committing the crime being investigated. Both federal and state courts have ruled on what constitutes a lawful arrest. In 1983, the Illinois Supreme Court held that a law enforcement officer has the authority to arrest if the officer has reasonable grounds to believe someone is violating, or has already violated, the law.[3] That same year, the 7th U.S. Circuit Court of Appeals, which has federal jurisdiction in Illinois, ruled that to lawfully arrest a person, there must be "objective justification" to create a reasonable suspicion that the person being arrested was engaging in criminal activity.[4]

Municipal police officers generally confine their arrests to the boundaries of their communities. This general rule was reinforced by an 1869 Illinois Supreme Court ruling that, without an arrest warrant, a local officer has no authority to make an arrest outside the geographical limits of the municipality.[5] Although this decision is more than 100 years old, it has never been overturned by the Illinois Supreme Court or nullified by legislation. Certain exceptions to the general rule, however, have evolved through subsequent court decisions and legislation:

- **Police district cooperation.** By law, the police of any municipality in a "police district" — the area that includes the corporate limits of adjoining municipalities within a single county[6] — may go into any part of that district to suppress a riot, to preserve the peace, or to protect the lives, rights, and property of citizens.[7] For these purposes, the mayor of any municipality in the district and the chiefs of police in the police district can use the police forces under their control anywhere in the district.
- **Hot pursuit.** Police may continue the immediate pursuit of a person into another Illinois jurisdiction, if that person is trying to avoid arrest.[8]
- **Request from another jurisdiction.** State law allows any law enforcement officer to command the assistance of individuals over the age of 18, thus giving them the same authority to arrest as the officer.[9] If the individual is a police officer from another jurisdiction, that officer is empowered to make an arrest outside the officer's community.
- **Warrant arrest.** Every arrest warrant in Illinois is directed to all law enforcement officers in the state, and a warrant may be executed by any officer (or by a private citizen specifically named in the warrant) in any county in the state.[10]

Local law enforcement officers have implicit authority to make arrests for federal crimes as well.[11]

When making an arrest, a law enforcement officer must determine the degree of force needed to successfully complete the arrest. In particular, police use of deadly force has received close public scrutiny in recent years, and officers must have legal justification to use such force during an arrest.

Both federal and state laws govern police use of deadly force. In 1985, the U.S. Supreme Court held that "there can be no question that apprehension by the use of deadly force is a seizure subject to the reasonableness requirement of the Fourth Amendment. . . . To determine the constitutionality of a seizure, we must balance the nature and quality of the intrusion on the individual's Fourth Amendment interests against the importance of governmental interests alleged to justify the intrusion. . . . Because one of the factors is the extent of the intrusion, it is plain that reasonableness depends on not only when a seizure is made, but also how it is carried out."[12]

Under Illinois law, an officer is justified in using deadly force "only when he reasonably believes that such force is necessary to prevent death or great bodily harm

to himself or (another) person, or when he reasonably believes both that:

1) Such force is necessary to prevent the arrest from being defeated by resistance and escape; and
2) The person to be arrested has committed or attempted to commit a forcible felony or is attempting to escape by use of a deadly weapon, or otherwise indicates that he will endanger human life or inflict great bodily harm unless arrested without delay."[13]

However, this Illinois statute may conflict with the U.S. Supreme Court's decision in *Tennessee v. Garner*. While state law justifies the use of deadly force simply if a suspect who is resisting or escaping arrest has committed (or attempted to commit) a forcible felony, the Supreme Court ruling additionally requires officers to reasonably conclude that the suspect will, in fact, "endanger human life or inflict great bodily harm unless arrested without delay."

Arrest warrants are issued in two situations. In one, a victim or complaining witness goes directly to a prosecutor with information about a crime, signs a complaint, and then appears before a judge who is authorized to issue an arrest warrant for the suspect in that particular crime. In the other situation, it is a law enforcement officer who files the complaint and goes before a judge to seek an arrest warrant. However, an arrest warrant is not always needed for a law enforcement officer to arrest a criminal suspect. For example, if an officer witnesses a felony or misdemeanor being committed, or if there is probable cause not only that a felony occurred but also that the person in custody committed the crime, the officer may make an arrest on the spot.

After a suspect has been arrested, law enforcement's primary mission within the criminal justice system has been met. The arresting agency may still be responsible for gathering and preserving physical evidence to be used by prosecutors, and individual officers may be called to testify at trial. Still, once a law enforcement agency fulfills its three basic objectives — detecting the crime, investigating it, and arresting the suspect — the focus of the system shifts to prosecutors and the courts.

The Data

Since 1930, law enforcement agencies throughout the United States have voluntarily reported crime data to the Federal Bureau of Investigation for inclusion in the national Uniform Crime Reports (UCR). Most states, including Illinois, also compile state-level UCR statistics. The primary source of statistics in this chapter is the Illinois Uniform Crime Reports (I-UCR).

WHAT ARE THE ILLINOIS UNIFORM CRIME REPORTS?

In 1972, Illinois instituted a mandatory UCR reporting system for all law enforcement agencies in the state.[14] Each month, these agencies are required to report data to the Illinois Department of State Police (DSP), which manages the I-UCR program. Most agencies report their I-UCR statistics directly to DSP, either on paper forms, computer printouts, or on-line through a statewide telecommunications network. Other agencies, especially small ones, submit I-UCR data through another department, such as the county sheriff.

The I-UCR system is one of only a handful of state programs to require "incident-level" reporting of offenses and arrests. This means that law enforcement agencies in Illinois must submit to DSP detailed information about every offense and arrest in their jurisdictions — not just monthly summaries of offenses and arrests, as the national UCR program mandates. Incident-level reporting provides more specific crime information to both the law enforcement agencies that report the data and criminal justice researchers.

The I-UCR program includes six types of data:

1) **Offenses.** I-UCR offense data cover all criminal offenses reported to local law enforcement agencies in Illinois. They include all alleged offenses that are "known to the police." Following police investigation, these offenses are subsequently coded as either having "actually occurred" or as being "unfounded." The data also specify offenses that were cleared by arrest or by other means. Both monthly totals and individual incident information for more than 200 crime types are maintained for each reporting agency in the state. All offense analyses in this chapter are based on "offenses actually occurring" (in I-UCR terminology); for this report, however, they are called "reported offenses."
2) **Arrests.** I-UCR arrest statistics contain the age, race, and sex of all persons arrested in the state.

Both monthly totals and individual arrest incident information are available for each reporting agency.[15] These data are recorded in the same crime categories as the I-UCR offense information.

3) **Supplementary Homicide Reports.** SHR data contain detailed information about every homicide in the state, including the age, race, and sex of both victims and offenders; the number of victims and offenders per homicide; their relationship to one another; the date and time the incident occurred; the circumstances of the crime; and the weapon used.

4) **Property losses.** These data include the type, number, and estimated value of property items that were stolen, destroyed during the commission of a crime, or recovered. The data are reported by specific property types.

5) **Law enforcement officers assaulted or killed.** These statistics include details of every incident in which an Illinois law enforcement officer was assaulted or killed in the line of duty.

6) **Employment information.** These data include the number of full- and part-time sworn officers and the number of civilian employees working in each law enforcement agency in the state.

HOW ARE CRIMINAL INCIDENTS RECORDED IN ILLINOIS?

When an incident is reported to law enforcement authorities in Illinois, their first step is to investigate whether a crime actually occurred and, if so, exactly what type of crime it was. If a crime has indeed been committed, the officers must then confirm that the incident took place within their jurisdiction. Only then can the agency count the incident in its I-UCR statistics as an "offense actually occurring." If the officers determine that the crime happened *outside* their jurisdiction, they will refer the incident to the appropriate law enforcement agency, which will then include the incident in its I-UCR reports.

To properly understand I-UCR offense statistics, then, two points should be kept in mind:

1) I-UCR offense totals, rather than being a compilation of all crimes that occur, measure *only those crimes that law enforcement authorities learn about.*

2) Inevitably, there will be differences in how individual agencies decide whether a reported incident is really a crime (as defined in the Illinois statutes) and, if it is a crime, which I-UCR offense category best describes the incident.

HOW ARE CHICAGO POLICE DEPARTMENT DATA REPORTED?

In 1983 and 1984, the Chicago Police Department made several changes in how it reports UCR data. These changes significantly affected the department's offense statistics and, to a lesser degree, its arrest figures. And, because much of the reported crime in Illinois occurs in Chicago, these changes also affected statewide totals.

To understand the effects of the crime reporting changes in Chicago, some historical background is needed. The Chicago Police Department participated in the national UCR program long before the state system was created. When mandatory UCR reporting was initiated in Illinois in 1972, Chicago continued to report its statistics using the national format. This meant that Chicago was reporting UCR information differently from the rest of the law enforcement agencies in the state.

This situation caused two problems for tabulating statewide crime statistics. First, Chicago offense and arrest information was much less specific than that of other jurisdictions in Illinois, because the national program (whose format Chicago was following) requires only aggregate monthly statistics to be reported, while the Illinois system requires specific, incident-level information on each offense and arrest. Second, Chicago was reporting many fewer categories of crimes than were the other jurisdictions in the state, again because the national program does not require that many of these crimes be reported.

In 1984, the Chicago Police Department began reporting incident-level offense statistics to the I-UCR program. As a result, reported offenses in Chicago are now more precisely classified according to the specific offenses that make up the eight "index crime" categories (see Figure 1-1 for definitions of these index crimes). Also in 1984, the police department started reporting offense and arrest data for additional categories of "non-index crimes."

At about the same time, the Chicago Police Department made another important change in how it handles crime data: the department substantially corrected the way it was categorizing reported crimes as either "actually occurring" or "unfounded." These corrections created huge increases in the offense totals for 1983, and especially 1984, for certain major crimes.[16] The post-1983 reported crime figures in Chicago are based on more accurate recording practices than the earlier statistics are. This fact must be kept in mind when analyzing crime trends over time, not only for Chicago but also for Illinois as a whole (since statewide trends are largely influenced by Chicago).

WHAT IS THE CRIME INDEX?

The offense and arrest statistics in this chapter focus primarily on what is known as the Crime Index. The eight crime categories that make up this index, when taken together, provide some indication of how much serious crime has occurred in a jurisdiction. Four of the index crimes are violent crimes — murder, sexual assault, robbery, and aggravated assault — and four are property crimes — burglary, larceny/theft, motor vehicle theft, and arson.

The FBI considered several factors when selecting the crimes to be included in the index: the seriousness of the crime, how frequently it occurs, its pervasiveness in all geographic parts of the country, how consistently jurisdictions define the crime, and the likelihood that the crime will be reported. The Crime Index does not include a number of crimes that, nonetheless, might be considered serious — simple assaults and batteries, kidnapping, child abuse, criminal sexual abuse, unlawful use of a weapon, delivery of controlled substances, vandalism, and possession of stolen property, among others.

Throughout this chapter, violent index crime is analyzed separately from property index crime. This is done because the vast majority of index crimes are property crimes, and for analytical purposes, it is more revealing to separate the two. Otherwise, a large jump in the overall Crime Index could imply that serious crime against persons is rising when, in fact, a property crime such as larceny/theft may account for most of the increase.

In addition, arson is excluded from all analyses of offenses and arrests. Arson was first designated an index crime in 1980. But because earlier, non-index arsons were reported differently from index arson offenses, the crime could not be analyzed over the same time period used for the other seven index crimes.

WHAT INFORMATION SOURCES ARE USED IN THIS CHAPTER?

The offense and arrest statistics used in this chapter come from two sources:

1) The Crime Studies Section of DSP's Bureau of Identification.

Figure 1–1.
What are the eight index crimes?

The FBI defines the four violent and four property index crimes as follows:

VIOLENT

Murder. The willful killing of a person. Index murder also includes voluntary manslaughter, which is the death of a person caused by gross negligence of any individual other than the victim.

Sexual assault. Until 1984, "rape" was defined as the carnal knowledge of a female, forcibly and against her will. On July 1, 1984, Illinois' sexual assault laws became gender-neutral and the old concept of rape was broadened to include many types of sexual assault. This index crime now includes all sexual assaults, completed and attempted, aggravated and non-aggravated.

Robbery. The taking of, or attempt to take, anything of value from the care, custody, or control of a person by force or threat of force or violence.

Aggravated assault. The intentional causing of, or attempt to cause, serious bodily harm, or the threat of serious bodily injury or death. This category includes aggravated assault, aggravated battery, and attempted murder. In Illinois, "assault" is a threat, while "battery" is an actual attack. "Aggravated" means that serious bodily harm, or the threat of serious bodily harm, is involved.

PROPERTY

Burglary. The unlawful entry of a structure to commit a felony or theft; this category includes attempted burglary.

Larceny/theft. The unlawful taking or stealing of property or articles without the use of force, violence, or fraud. This category includes attempted theft, burglary from a motor vehicle, and attempted burglary from a motor vehicle.

Motor vehicle theft. The unlawful taking or stealing of a motor vehicle; the category includes attempted motor vehicle theft. "Motor vehicle" includes automobiles, trucks, buses, and other vehicles.

Arson. The willful or malicious burning of, or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle, aircraft, or personal property of another. (Arson became an index crime in 1980, and, because of definitional differences, pre-1980 arson data cannot be compared with index arson figures.)

2) The 1972 through 1985 editions of *Crime in Illinois*, an annual DSP publication.

Unless otherwise specified, *all offenses and arrests analyzed in this chapter are index crimes.* For example, "burglary" is "index burglary," "violent crime" is "violent index crime," etc.

The population statistics used in this chapter have been taken from *Illinois Population Trends from 1970-2025*, a 1984 publication of the Illinois Bureau of the Budget.

Trends and Issues

Nearly 430,000 index crimes were reported in Illinois during 1972. Fourteen years later, in 1986, that total had risen 49 percent to more than 640,000 offenses. That year, 730,000 non-index offenses were also reported statewide. And, as explained in the overview to this chapter, these figures include only those offenses reported to the police.

The remainder of this chapter examines the changing nature of reported crime in Illinois during the past 15 years. The chapter also projects how some offense and arrest trends are likely to change during the rest of the 1980s.

HOW MUCH REPORTED CRIME IN ILLINOIS INVOLVES VIOLENT OFFENSES?

Although violent crimes tend to receive the most public attention, in Illinois they are clearly outnumbered by property crimes. Between 1972 and 1986, the number of reported property crimes exceeded the number of reported violent crimes by more than 8-to-1 (Figure 1-2). In some years, including 1985 and 1986, the difference was about 6-to-1, while in other years, particularly in the late 1970s and early 1980s, it was as high as 10-to-1.

WHAT ARE THE MOST COMMON VIOLENT CRIMES REPORTED IN ILLINOIS?

Of the four violent index crimes, the most common in Illinois are robbery and aggravated assault (Figure 1-3). In 1986, these two crimes made up 93 percent of all violent crimes reported in the state. Murder and sexual assault accounted for the remaining 7 percent.

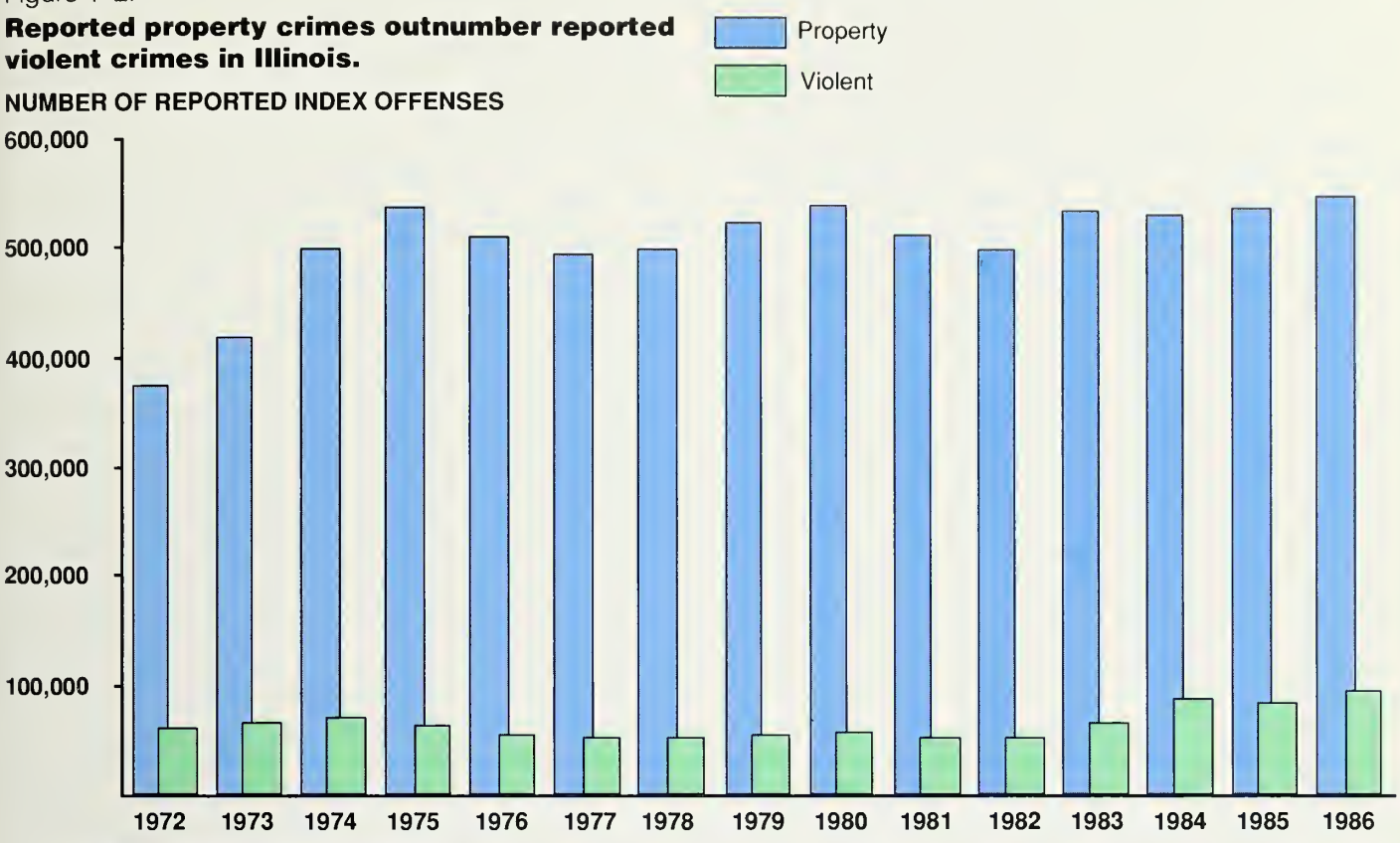
For each type of violent crime, the patterns over time since 1972 have been different. Both robbery and aggravated assault increased slightly in the early 1970s, but declined in 1975, 1976, and 1977. Robbery then leveled off until 1983, when the statewide total increased dramatically. In 1986, the number of reported robberies was 13 percent higher than in 1985. Aggravated assault generally increased after 1977, interrupted only by a temporary decline in 1981. As with robbery, there was a large — in this case, 14 percent — increase in reported aggravated assaults between 1985 and 1986. For both crimes, the increases in 1983 and 1984 were due largely to changes in the Chicago Police Department's crime-reporting practices. The 1986 increases, however, were unexpected, and may indicate an increase in the actual occurrence of robbery and aggravated assault in Illinois.

The number of reported murders and sexual assaults also fluctuated during the 15-year period (these fluctuations, however, are not as readily apparent in Figure 1-3 because of the scale needed to show the higher offense totals for robbery and aggravated assault). After increasing 19 percent in 1973 and another 14 percent in 1974, murder in Illinois declined through 1977.[17] The annual total gradually rose again through 1981, but then generally decreased through 1985. In 1986, 1,032 murders were reported statewide, or 10 percent more than the 935 reported in 1985. As a serious offense that traditionally has been accurately reported, murder was not affected by the reporting changes in Chicago.[18]

Like murder, reported sexual assault in Illinois increased in both 1973 and 1974. It then declined over the next three years, increased again in the late 1970s, and decreased from 1980 through 1982. Between 1983 and 1986, however, the number of reported sexual assaults in the state increased dramatically. Two factors likely played a large part in this trend: the Chicago reporting changes and the enactment on July 1, 1984, of sweeping changes in Illinois' sexual assault laws.[19] Besides adding new offenses to the category of sexual assault, the 1984 changes in the law also generated more publicity about the crime. Law enforcement officials

Figure 1–2.

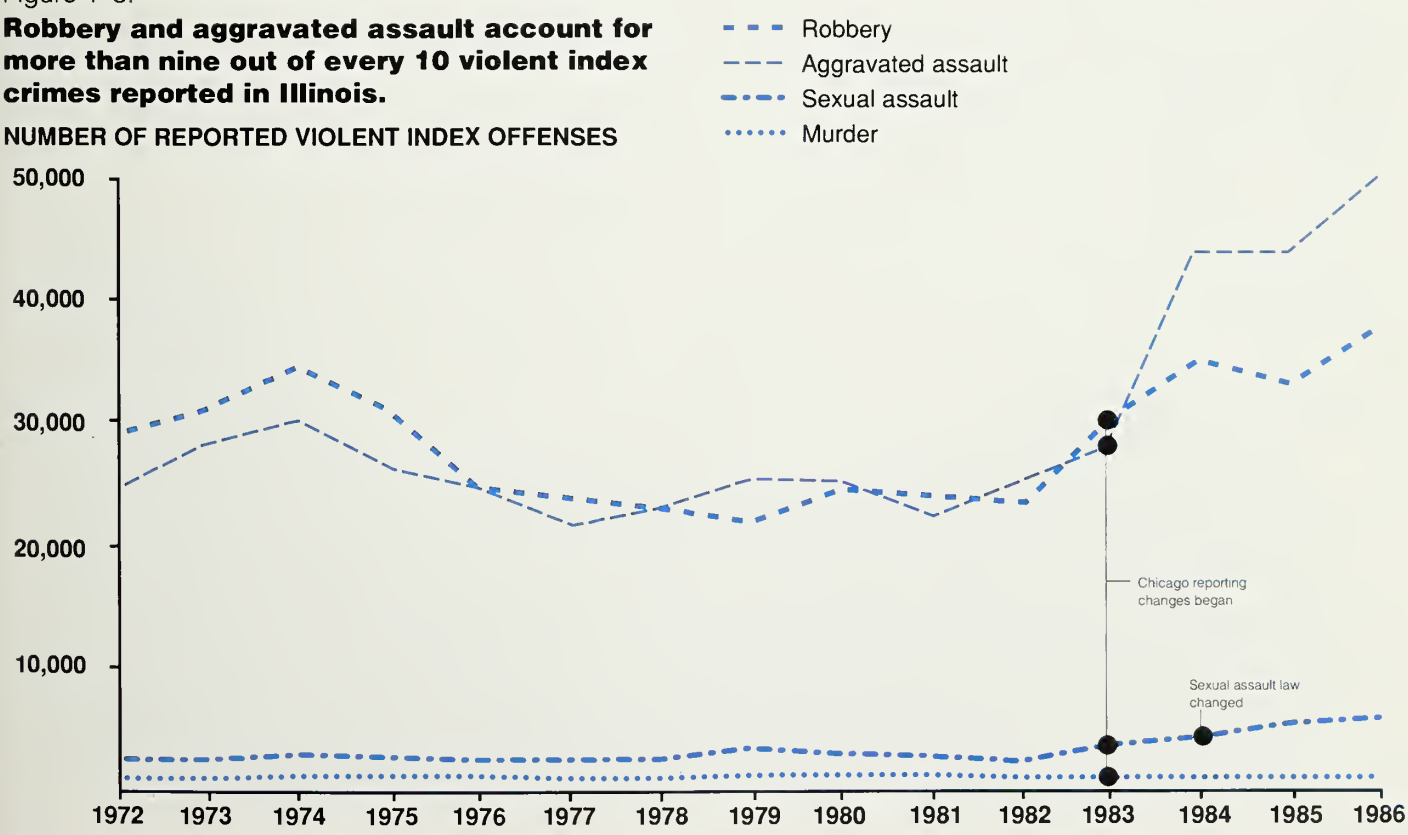
Reported property crimes outnumber reported violent crimes in Illinois.



Source: Illinois Uniform Crime Reports

Figure 1–3.

Robbery and aggravated assault account for more than nine out of every 10 violent index crimes reported in Illinois.



Source: Illinois Uniform Crime Reports

were trained in how to record sexual assaults under the law, and advocacy and police organizations that encourage victims to report sexual assaults and to testify against sex offenders became more influential and successful. By 1986, however, the two reporting changes were probably *not* major factors in the 10 percent increase in reported sexual assaults that occurred that year.

WHERE DO MOST VIOLENT CRIMES IN ILLINOIS OCCUR?

A substantial majority of the violent crimes reported in Illinois take place in Chicago (Figure 1-4). In 1986, for example, Chicago accounted for about 26 percent of the state's population, but more than 72 percent of all violent offenses reported statewide occurred in the city. As a result, statewide violent crime trends are largely determined by offense patterns in Chicago.

This influence is particularly striking in the statewide totals for 1983 and 1984, the years immediately following the Chicago Police Department's reporting changes. According to one study, these reporting changes affected most types of violent crime, except for murder and armed robbery with a firearm.[20] The result was a 51 percent jump in the number of violent offenses reported by Chicago police between 1982 and 1983. In 1984, the first full year the reporting changes were in effect, the violent offense total was 132 percent higher than the 1982 figure.

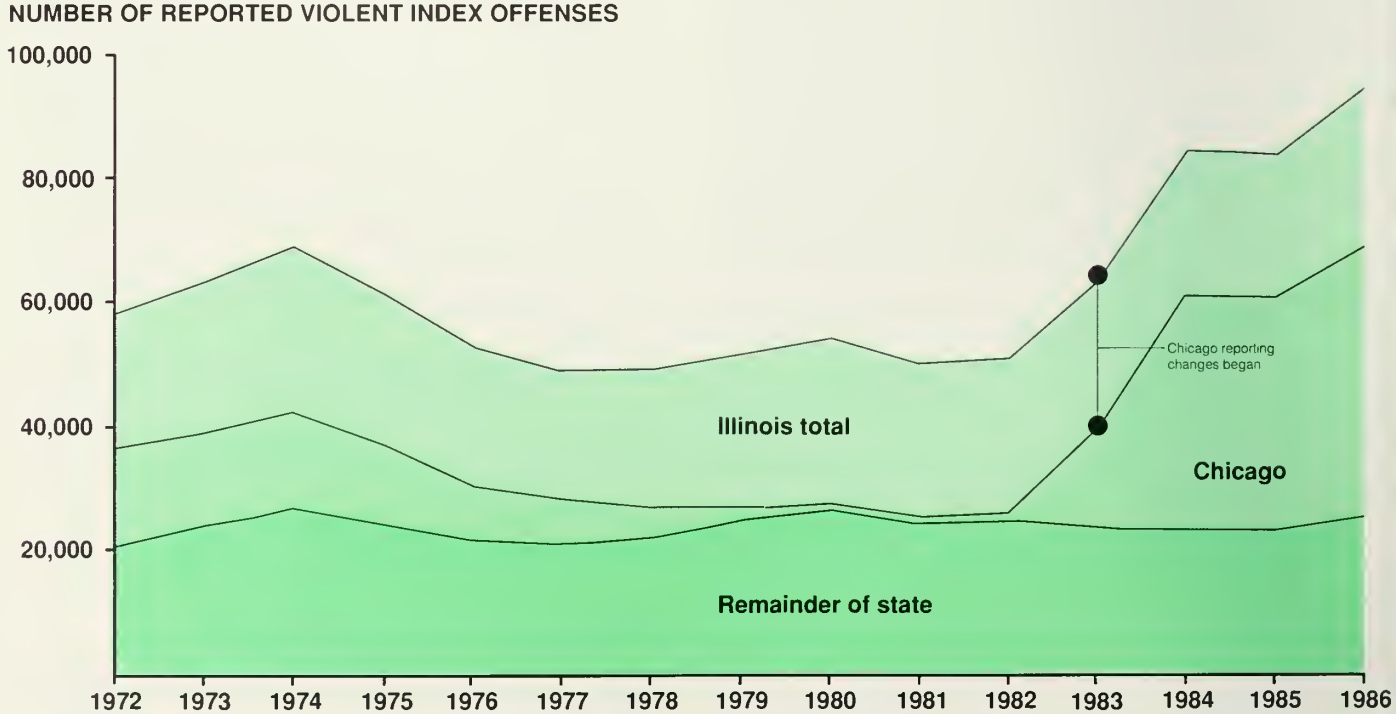
Because violent crime totals for the entire state are driven largely by Chicago figures, the statewide total also increased dramatically in 1983 and 1984. Compared with the 1982 figure, the number of violent crimes reported statewide was one-third higher in 1983 and 65 percent higher in 1984. However, the 1986 increase in violent crime occurred in all of Illinois, not just Chicago, which indicates that this increase was not due solely to Chicago's reformed reporting procedures.

DO LARGE JURISDICTIONS HAVE MORE VIOLENT CRIME PER CAPITA?

Chicago clearly accounts for the majority of violent crime reported in Illinois. But the city also is home to more than one-quarter of the state's population and has over 20 times more people than Rockford, the state's second largest city. If population is accounted for, is violent crime still more frequent in Chicago and other large metropolitan areas of Illinois than in the state's smaller jurisdictions?

To measure the relative frequency of violent crime in jurisdictions that have different population characteristics, crime rates must be used. Crime rates here measure the per-capita amount of reported crime in a community, or group of communities, by calculating the number of crimes for every 100,000 people. For this

Figure 1–4.
Most violent crimes reported in Illinois take place in Chicago.



Source: Illinois Uniform Crime Reports

report, crime rates were calculated for four different types of jurisdictions in Illinois: Chicago; other large municipalities;[21] small municipalities, which include all other incorporated cities and towns; and rural areas, which include those unincorporated parts of the state that fall under the jurisdiction of county sheriffs' offices.

Comparing annual crime rates in these four types of jurisdictions suggests that the size of the jurisdiction *is* directly related to violent crime rates: the greater the population density of an area, the higher its violent crime rate (Figure 1-5). In every year between 1972 and 1986, Chicago had the highest violent crime rate in the state — in many years, there were more than 1,000 reported crimes for every 100,000 city residents. Second-highest violent crime rates were found in other large municipalities, followed by smaller cities and towns and then rural areas.[22]

These figures also provide dramatic evidence of how reporting changes in Chicago drove up the state's overall violent crime rate after 1982. Violent crime rates in the other three types of jurisdictions changed very little between 1982 and 1986, while the reported rate in Chicago more than doubled.

HOW OFTEN ARE FIREARMS USED TO COMMIT VIOLENT CRIMES?

How often firearms are involved in the commission of violent crimes in Illinois varies from crime to crime. Firearms were used in the majority of reported murders in the state between 1972 and 1986, although this percentage dropped from more than 70 percent of all murder weapons in 1972 to less than 57 percent in 1986 (Figure 1-6). During this same period, the use of knives as a murder weapon increased from about 16 percent of the total in 1972 to 23 percent in 1986.

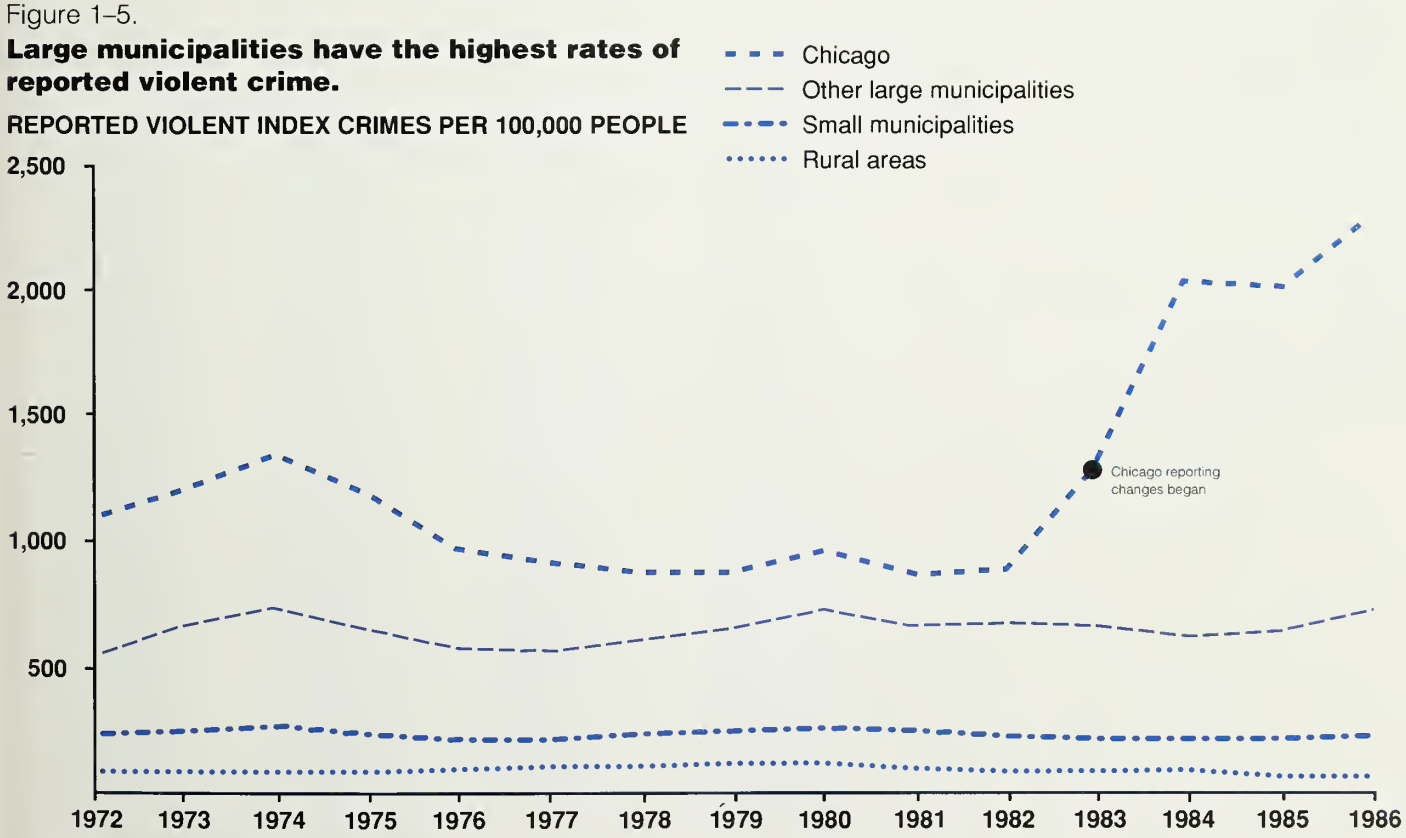
Most murders, however, begin as another crime, such as assault or robbery, and then escalate to murder. Firearms are much less likely to be involved in those violent crimes that do not end in murder. In 1986, for example, firearms were used in approximately 30 percent of the robberies, 28 percent of the aggravated assaults, and 17 percent of the sexual assaults reported in Illinois (Figure 1-7). In most of the robberies and sexual assaults that year, no weapon other than the offender's hands, fists, or feet was used. The weapons used in aggravated assaults in 1986 were almost evenly split among firearms, knives, other weapons, and hands/fists/feet. By definition, however, the index crime of aggravated assault excludes most assaults and batteries in which no weapon is used.

HOW WILL VIOLENT CRIME IN ILLINOIS CHANGE THROUGH 1990?

Reported violent crime in Illinois fluctuated substantially between 1972 and 1986. To help determine what will

Figure 1–5.

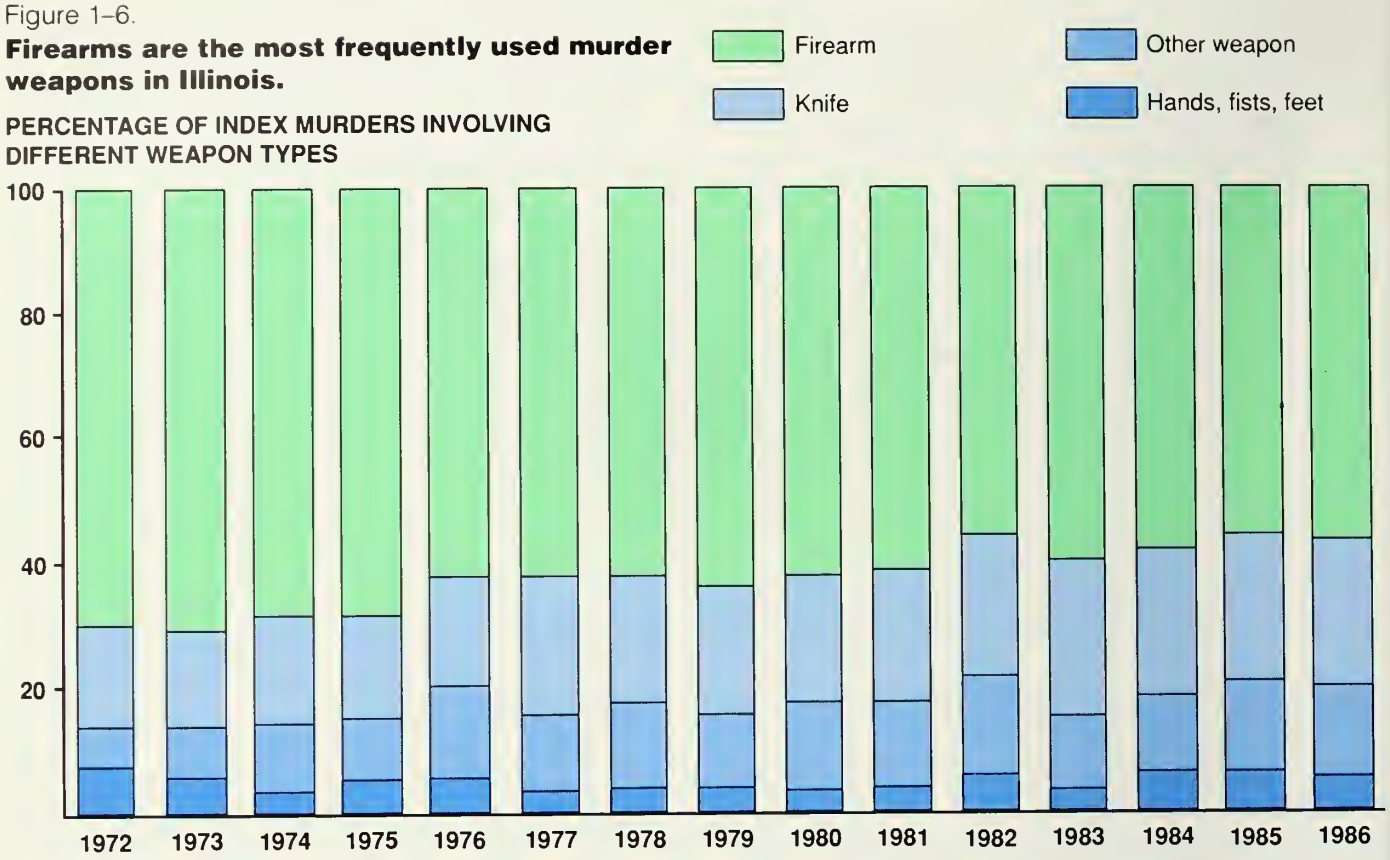
Large municipalities have the highest rates of reported violent crime.



Source: Illinois Uniform Crime Reports

Figure 1–6.

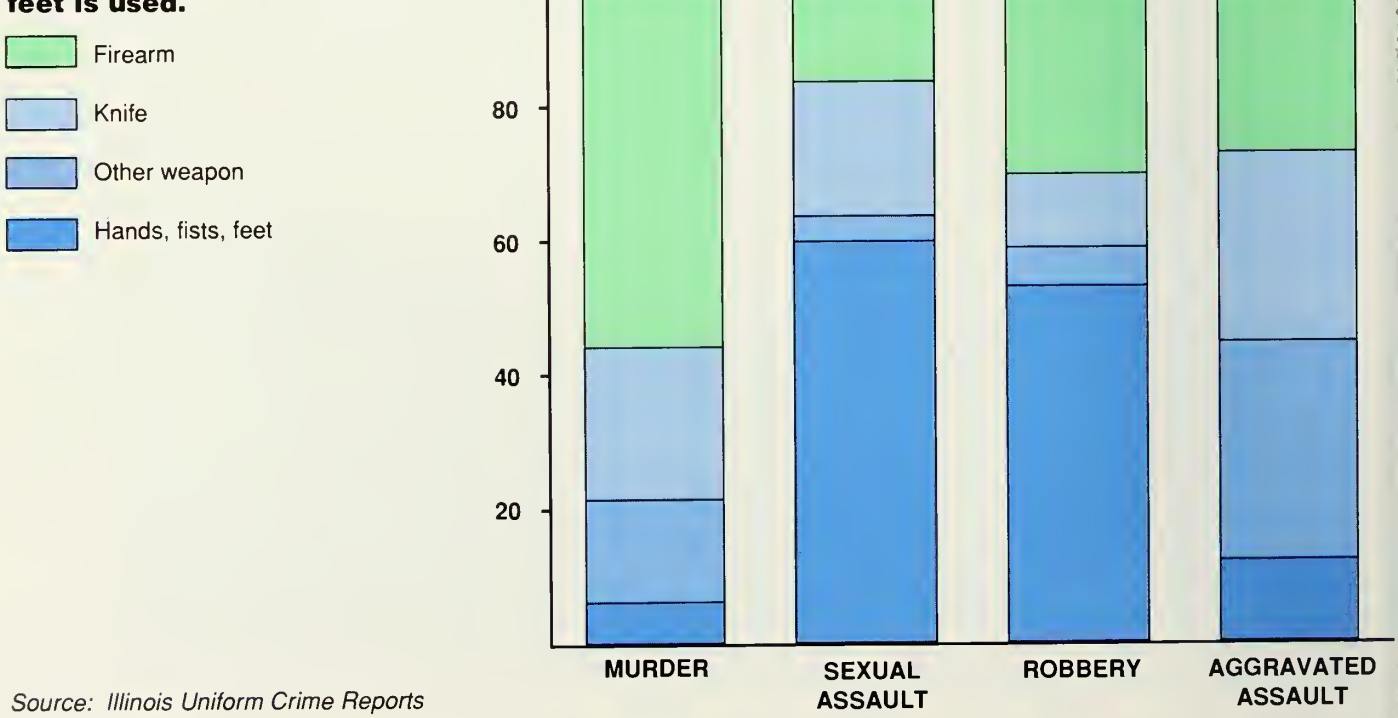
Firearms are the most frequently used murder weapons in Illinois.



Source: Illinois Uniform Crime Reports

Figure 1–7.

In most reported robberies and sexual assaults, no weapon other than the offender's hands, fists, or feet is used.



Source: Illinois Uniform Crime Reports

happen in the future, the Authority projected the expected level of violent crime in the state for the four years from 1987 through 1990.[23] Projections were calculated for each of the four violent index crimes and for three different parts of the state: Chicago; the "collar counties" of DuPage, Kane, Lake, McHenry, Will, and suburban Cook; and the remainder of the state. Based on these projections, the following trends are expected:

- **Murder.** Since 1972, murder in Chicago has peaked twice: in 1974, when there were 970 offenses, and in 1981, when there were 877. From 1982 through 1985, the number of murders in Chicago was relatively low. In fact, there were fewer murders in 1985 (666) than in any other year in the 15-year series. In 1986, however, the number of murders in Chicago returned to the 1984 level, and a slight increase is expected through 1990 (Figure 1-8).

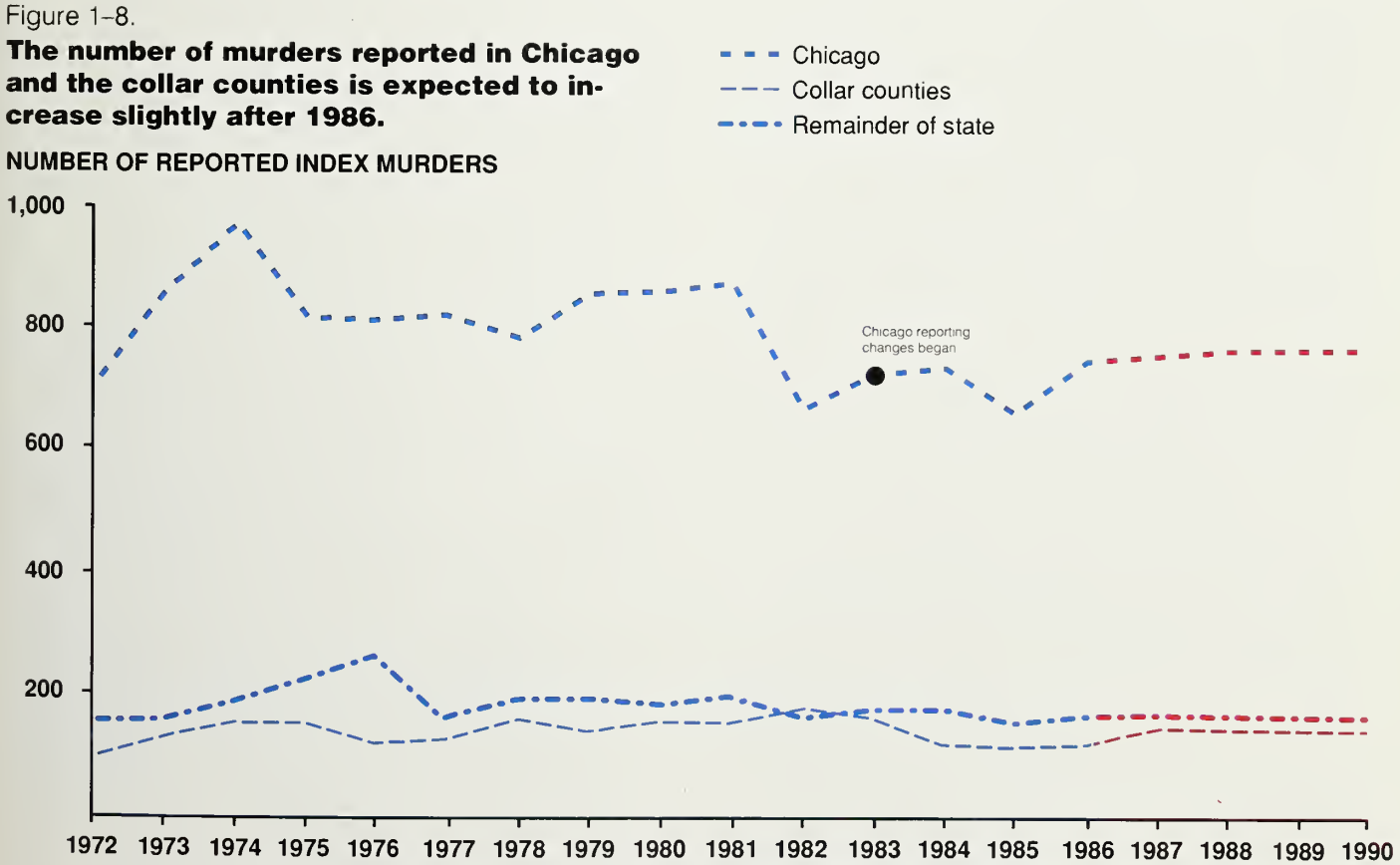
  In the collar counties, the 113 murders in 1985 was also exceptionally low, especially when compared with the 178 murders in the peak year of 1982. As in Chicago, the number of murders in the collar counties increased somewhat in 1986, to 121, and is expected to be about 140 per year through 1990. In the remainder of Illinois, the number of murders peaked at 265 in 1976, was also high in 1981 (202), and was relatively low from 1982 through 1985. The number of murders outside Chicago and the collar counties is expected to remain at about the 1986 level of 167 through 1990.

- **Sexual assault.** Several factors make projections of sexual assault in Illinois difficult. First, the change in reporting practices in Chicago, which began in 1983 and continued through 1984, probably caused much of the increase in reported rape offenses in those years. Second, the overhaul of the state's sexual assault laws, which took effect in the second half of 1984, may have caused much of the statewide increase after 1984. And even though 1985 was a relatively high year for reported sexual assaults statewide, the number of reported offenses continued to increase in all three geographic areas of the state between 1985 and 1986 — from 3,429 to 3,627 in Chicago, from 787 to 975 in the collar counties, and from 1,197 to 1,348 in the remainder of Illinois.

  In Chicago and the collar counties, these increases are not expected to continue; instead, a gradual leveling off from the 1986 peak is anticipated (Figure 1-9). In the rest of the state, however, reported sexual assault offenses are expected to continue to climb gradually until 1990, when they may approach 1,500.

Figure 1–8.

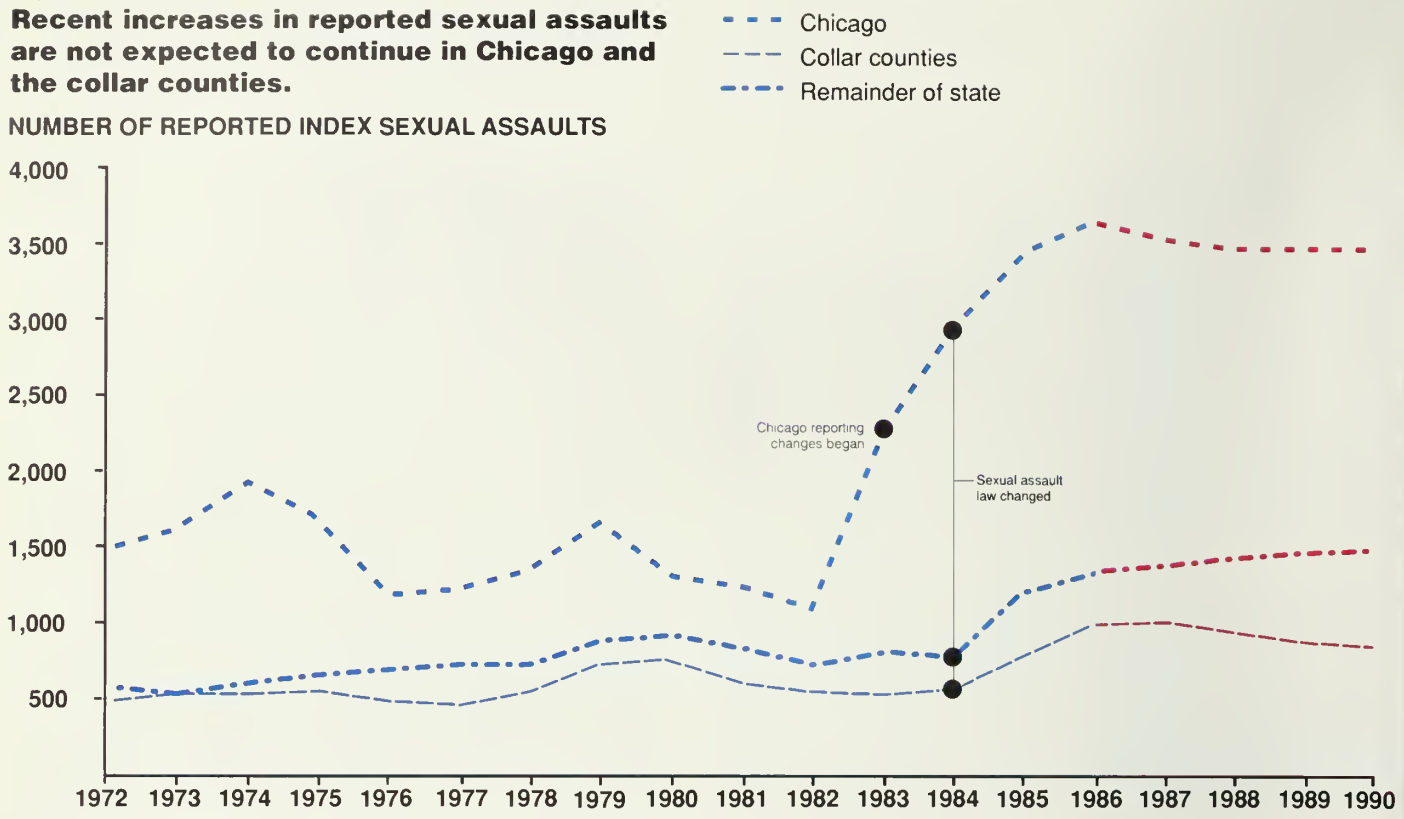
The number of murders reported in Chicago and the collar counties is expected to increase slightly after 1986.



Source: Illinois Uniform Crime Reports; Illinois Criminal Justice Information Authority (projections)

Figure 1–9.

Recent increases in reported sexual assaults are not expected to continue in Chicago and the collar counties.



Source: Illinois Uniform Crime Reports; Illinois Criminal Justice Information Authority (projections)

- **Robbery.** Like sexual assaults, reported robbery offenses increased in 1986 in all three geographic areas. In Chicago, the reform in reporting practices was reflected in increases in all types of robberies after 1982, except for those committed with a firearm.[24] However, the 14 percent increase from 1985 to 1986 indicates a possible increasing trend. Taking these factors into account, the number of officially recorded robbery offenses in Chicago is likely to increase to almost 34,000 by 1990 (Figure 1-10).

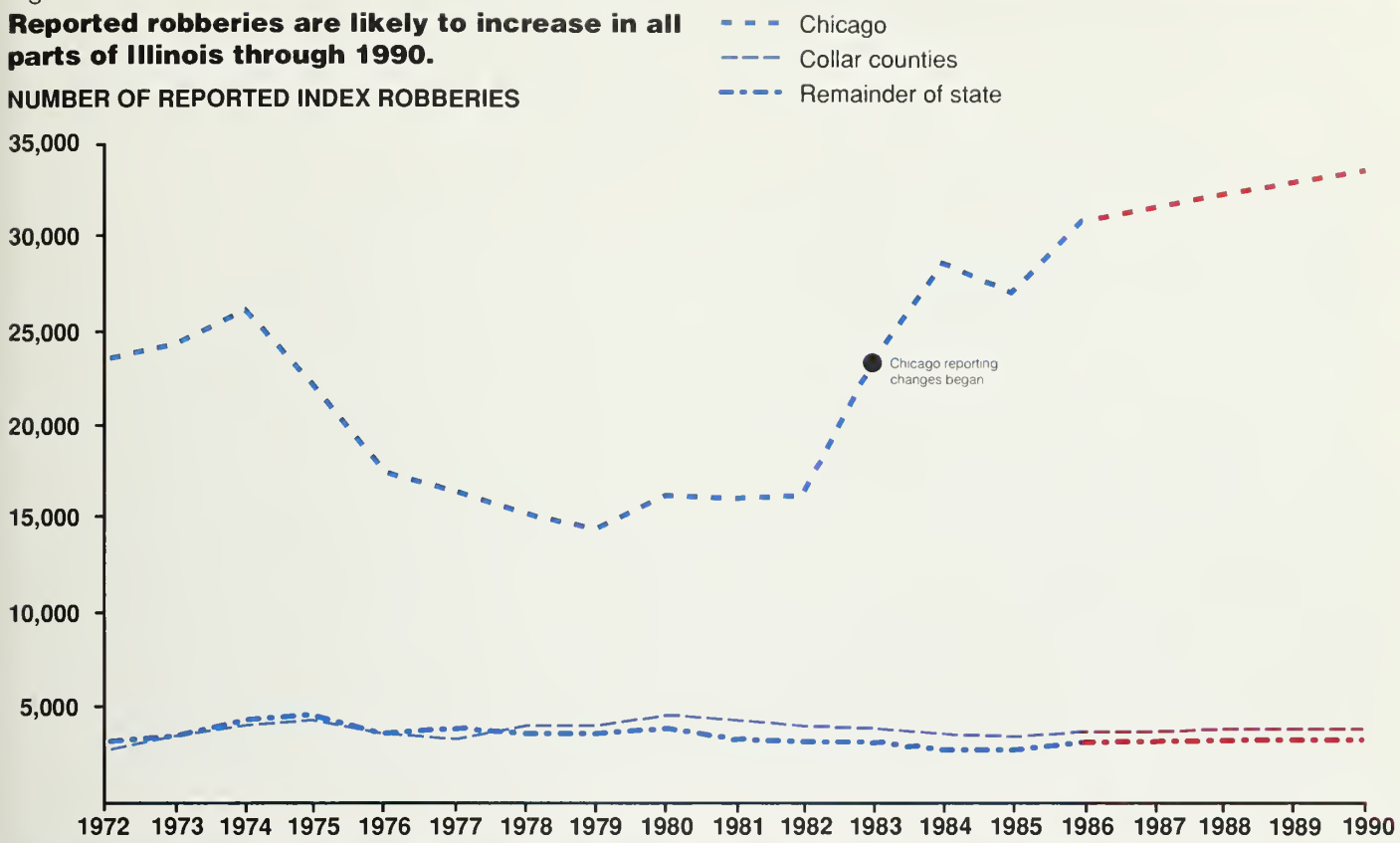
  In contrast, the 1986 increase in reported robberies in the collar counties was only about 3 percent. In fact, the number of reported robberies in every year from 1982 through 1986 was relatively low, especially when compared with such years as 1975 (4,270 offenses), 1980 (4,431), and 1981 (4,493). However, the number of reported robberies in the collar counties is expected to gradually increase again, until it reaches approximately 3,900 in 1990. In the remainder of Illinois, the number of robberies also peaked in 1975 (at 4,523) and was high in 1980 (3,859) as well. There was a general decline after 1980, and the 12 percent increase in 1986 may signal an increasing trend. Therefore, reported robberies in Illinois outside Chicago and the collar counties are expected to increase gradually to almost 3,300 by 1990.

- **Aggravated assault.** Of all the index crimes, aggravated assault showed the biggest increase in Chicago in 1983 and 1984, much of which was due to the change in the police department's reporting practices.[25] As with robbery, the number of reported aggravated assaults in Chicago also increased sharply between 1985, when there were nearly 29,300 offenses, and 1986, when there were more than 33,500. The reason for this nearly 15 percent increase is unclear, but if the pattern continues, the number of reported aggravated assaults in Chicago could exceed 37,000 by 1990 (Figure 1-11). On the other hand, if the 1986 increase was the result of something else, such as another change in reporting practices, the number of reported offenses may stabilize at about 31,000 in 1990.

  In the collar counties, the general increase in reported aggravated assaults since 1981 (when there were 6,567 offenses) is expected to continue through 1990, when almost 8,000 are projected. The number of reported aggravated assaults in the remainder of the state has generally fluctuated in recent years, and the number in 1985 (8,074) was the lowest yearly total since 1978. Thus, the 14 percent in-

Figure 1–10.

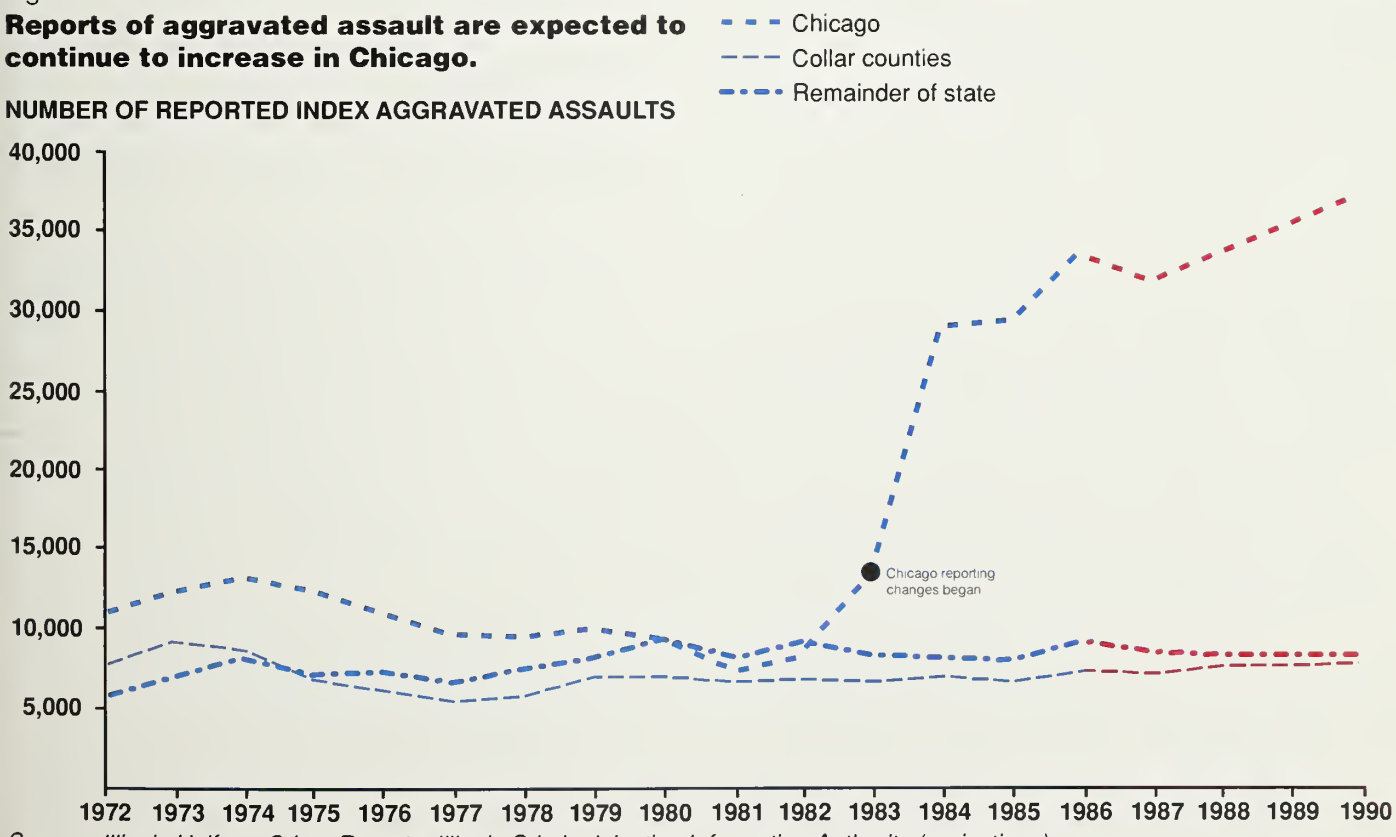
Reported robberies are likely to increase in all parts of Illinois through 1990.



Source: Illinois Uniform Crime Reports; Illinois Criminal Justice Information Authority (projections)

Figure 1–11.

Reports of aggravated assault are expected to continue to increase in Chicago.



Source: Illinois Uniform Crime Reports; Illinois Criminal Justice Information Authority (projections)

crease to 9,200 offenses in 1986 does not indicate a new trend. Instead, the number of reported aggravated assaults is expected to decline somewhat to about 8,400 in 1990.

WHAT IS THE MOST COMMON PROPERTY CRIME REPORTED IN ILLINOIS?

Of the three property index crimes analyzed in this report, the most common in Illinois is larceny/theft (Figure 1-12).[26] In 1986, it accounted for 62 percent of the reported property offenses in the state. Burglary was the second most common property crime and motor vehicle theft the third in every year between 1972 and 1986.

This distribution of property crimes is important for understanding crime patterns in Illinois. Although burglary and motor vehicle theft seem to attract more attention from the public and the news media, larceny/theft occurs much more frequently.

WHERE DO MOST PROPERTY CRIMES TAKE PLACE?

Although close to three-quarters of all violent crimes reported in Illinois take place in Chicago, the majority of reported property crimes in the state are committed outside the city (Figure 1-13). In 1986, for example, about 59 percent percent of the reported burglaries, larceny/thefts, and motor vehicle thefts in the state occurred outside Chicago.

Statewide, the number of reported property crimes rose from about 371,700 in 1972 to 546,100 in 1986, a 47 percent increase. How the changes in the Chicago Police Department's reporting practices affected this statewide total in 1983 and after is unclear, however. The fact that reported property crime in Illinois increased 7 percent between 1982 and 1983, the first year of Chicago's new reporting system, while reported violent crime rose 24 percent, may suggest the changes in Chicago had a limited effect on property crimes. In fact, Chicago's reporting changes may have obscured an actual decrease in property crime statewide during the last few years.

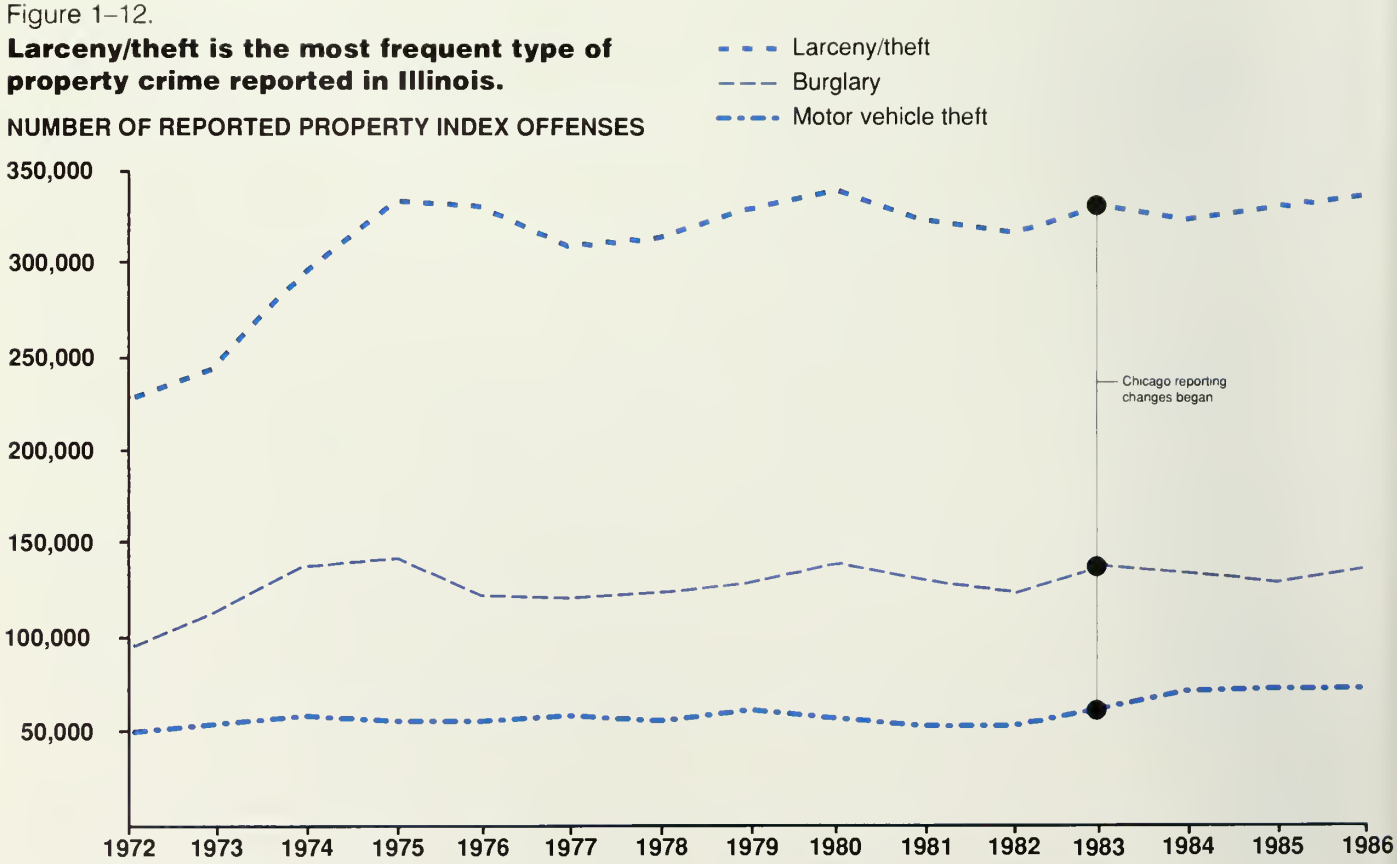
DO LARGE JURISDICTIONS HAVE HIGHER PROPERTY CRIME RATES?

Crime rates were used to measure the relative frequency of property crime in different parts of the state. As with the analysis of violent crime rates, property crime rates were calculated for four types of jurisdictions: Chicago, other large municipalities, small municipalities, and rural areas. And, once again, similar trends were found.

Chicago and other large municipalities in Illinois consistently have higher property crime rates than either

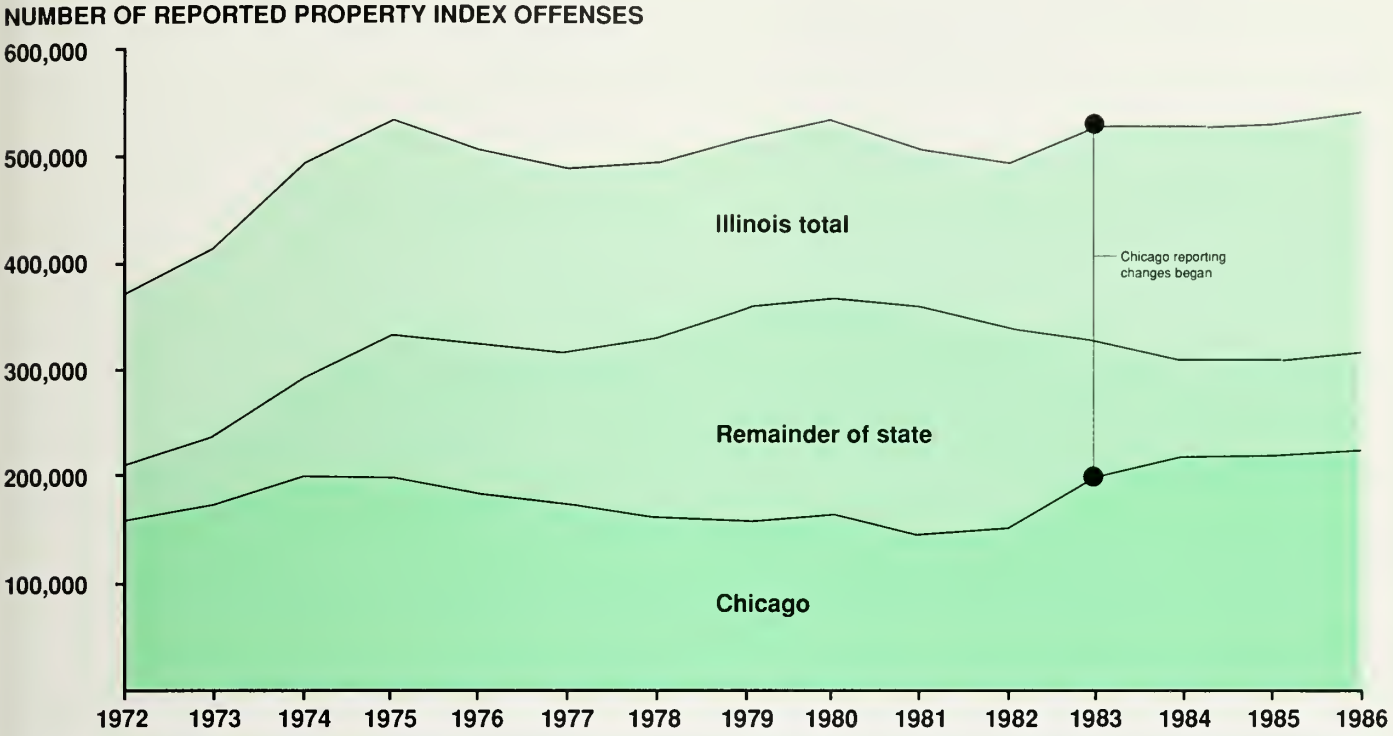
Figure 1–12.

Larceny/theft is the most frequent type of property crime reported in Illinois.



Source: Illinois Uniform Crime Reports

Figure 1–13.
Most property crimes reported in Illinois occur outside Chicago.



Source: Illinois Uniform Crime Reports

small municipalities or rural areas (Figure 1-14). Interestingly, however, Chicago had a lower property crime rate than the other large jurisdictions in the state between 1975 and 1982. But after the reporting changes took effect in Chicago in 1983, the property crime rate there was once again higher than the rate in the other large jurisdictions.

HOW WILL PROPERTY CRIME IN ILLINOIS CHANGE THROUGH 1990?

To get some indication of how property crime levels in Illinois will change during the rest of the 1980s, the Authority calculated projections, similar to those done for the four violent crimes, for the three property crimes as well. These projections covered the same three parts of the state: Chicago, the collar counties, and the remainder of Illinois. Based on these projections, the following trends are expected:

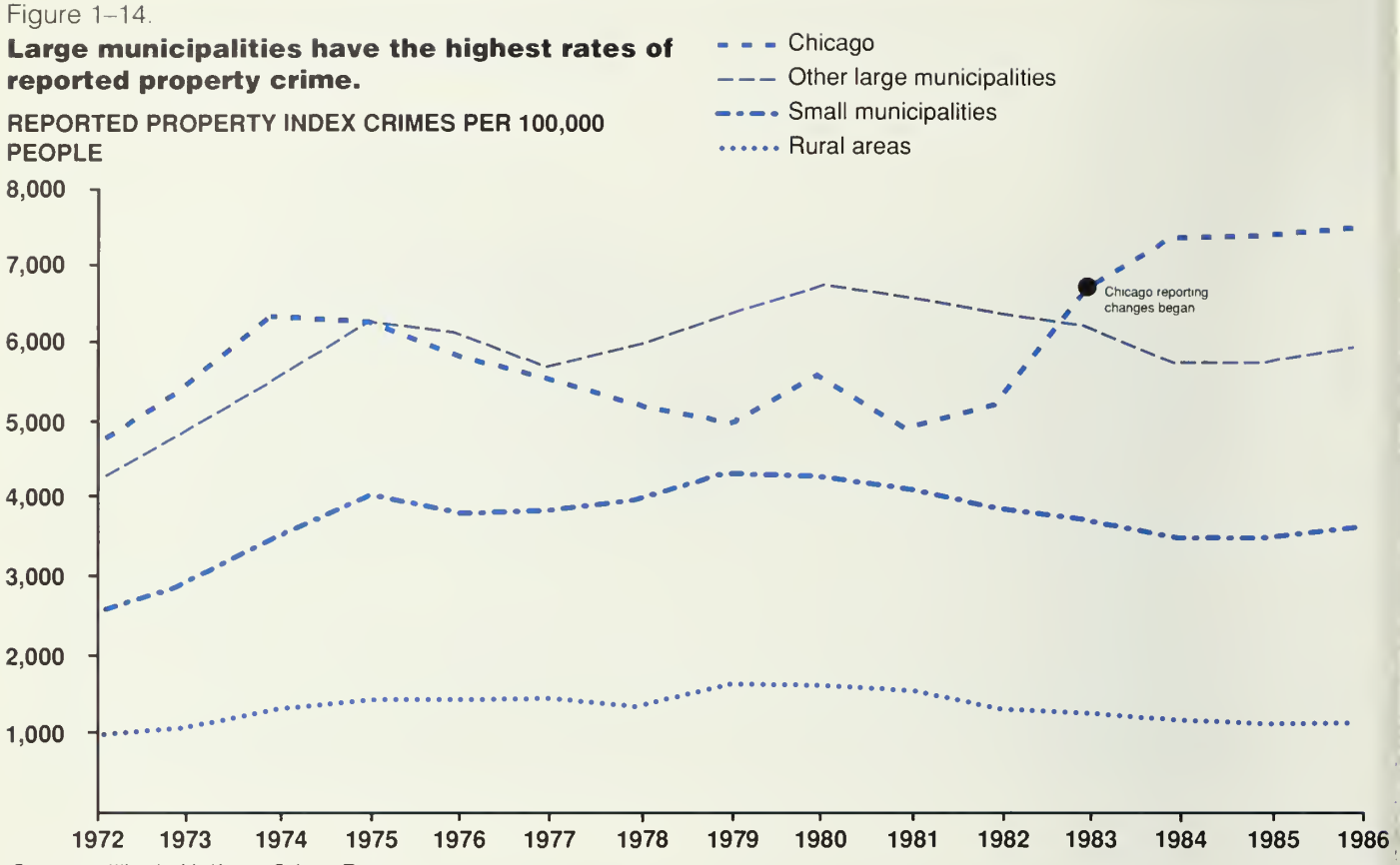
- **Burglary.** Between 1976 and 1984, patterns in reported burglary offenses in Chicago were markedly different from patterns in the collar counties and the remainder of Illinois. But after the Chicago Police Department reformed its reporting practices in 1983 and 1984, burglary patterns throughout the state were very similar. In all three areas, there was a gradual increase from January 1985 through December 1986 in the number of reported burglaries.

  Based on these factors, the number of reported burglaries in Chicago is expected to increase from about 56,300 in 1986 to more than 59,000 in 1990 (Figure 1-15). In contrast, reported burglaries in the collar counties are expected to continue the overall decline that began after the 1980 peak of about 53,200 offenses. By 1990, the number should reach approximately 33,500. In the remainder of Illinois — where reported burglaries also peaked at more than 52,400 offenses in 1980, declined gradually to about 39,000 in 1985, and then increased to about 40,500 in 1986 — the number of reported burglaries is expected to decrease to about 39,000 in 1990.

- **Larceny/theft.** Compared with the other index offenses, reported larceny/thefts changed very little over time in Illinois, regardless of the geographic area. In Chicago, the effect of the police department's reporting changes was not nearly as great for larceny/theft as for other crimes, and although the number of reported offenses did increase in 1983 and 1984, the overall pattern from 1983 through 1986 was relatively stable. The projected number of reported larceny/thefts in

Figure 1–14.

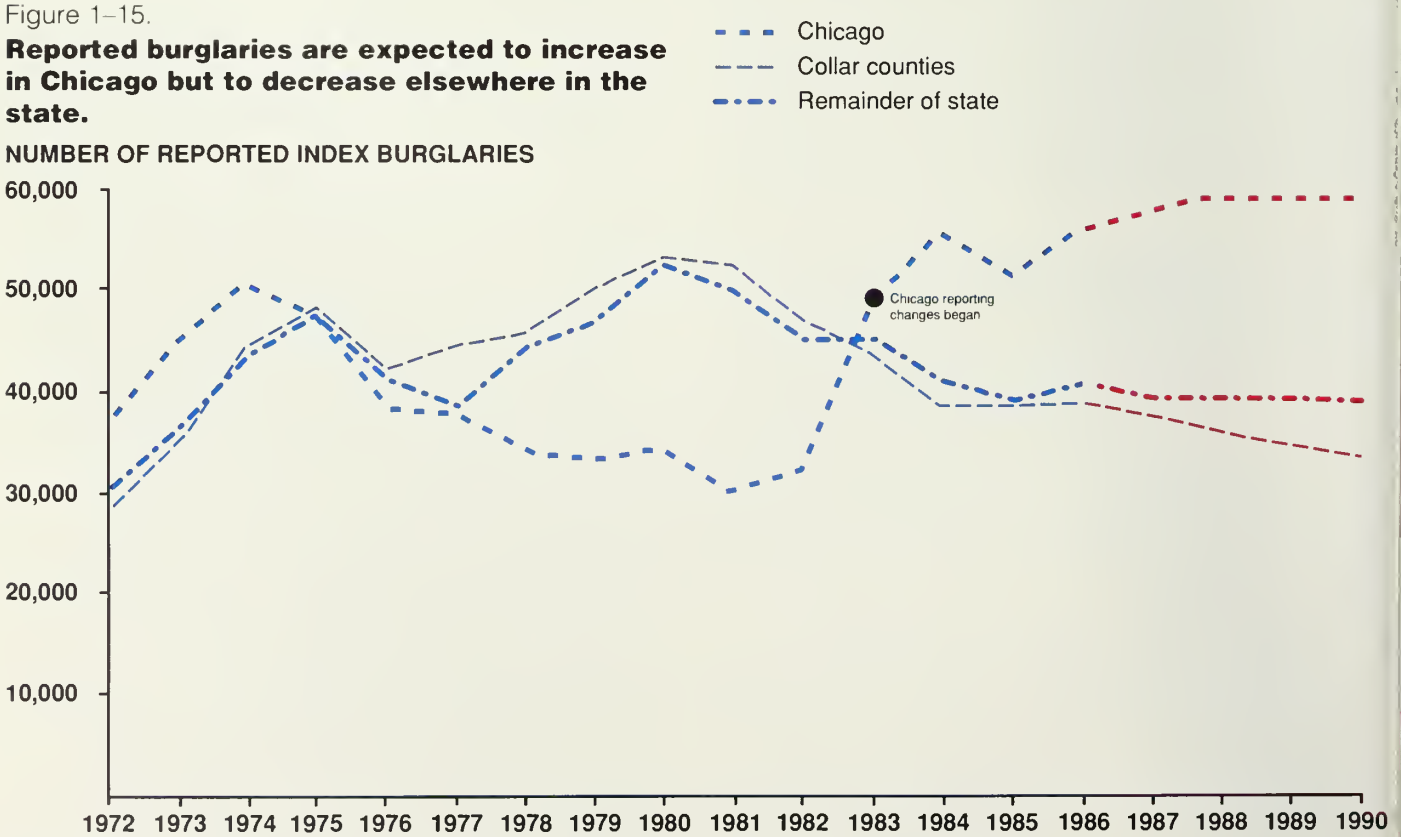
Large municipalities have the highest rates of reported property crime.



Source: Illinois Uniform Crime Reports

Figure 1–15.

Reported burglaries are expected to increase in Chicago but to decrease elsewhere in the state.



Source: Illinois Uniform Crime Reports; Illinois Criminal Justice Information Authority (projections)

Chicago in 1990 is about 118,500, or slightly less than the nearly 121,800 offenses reported in 1986 (Figure 1-16).

In the collar counties, reported larceny/thefts peaked at nearly 126,400 in 1979, declined gradually to about 110,000 in 1984, and then increased again to nearly 117,400 in 1986. As in Chicago, however, this increase is expected to level off; the number of larceny/thefts in 1990 should remain at less than 117,000. Similar patterns in larceny/theft occurred in the rest of Illinois, and the projections are also similar. From a peak of nearly 115,700 offenses in 1980, the number of reported larceny/thefts fell to about 95,500 in 1985, when it began to rise again. Following a brief increase, larceny/thefts in Illinois outside Chicago and the collar counties are expected to decline to about 97,500 in 1990.

- **Motor vehicle theft.** The number of reported motor vehicle thefts, like the number of larceny/theft offenses, was relatively unaffected by the 1983 and 1984 changes in Chicago reporting practices, and the number of offenses has been relatively steady since that time. From a peak of more than 49,800 offenses in 1985, reported motor vehicle thefts declined to 48,400 in 1986, a decline that is expected to continue for a few years and then to be reversed. In 1990, more than 47,000 reported motor vehicle thefts are anticipated in Chicago (Figure 1-17).

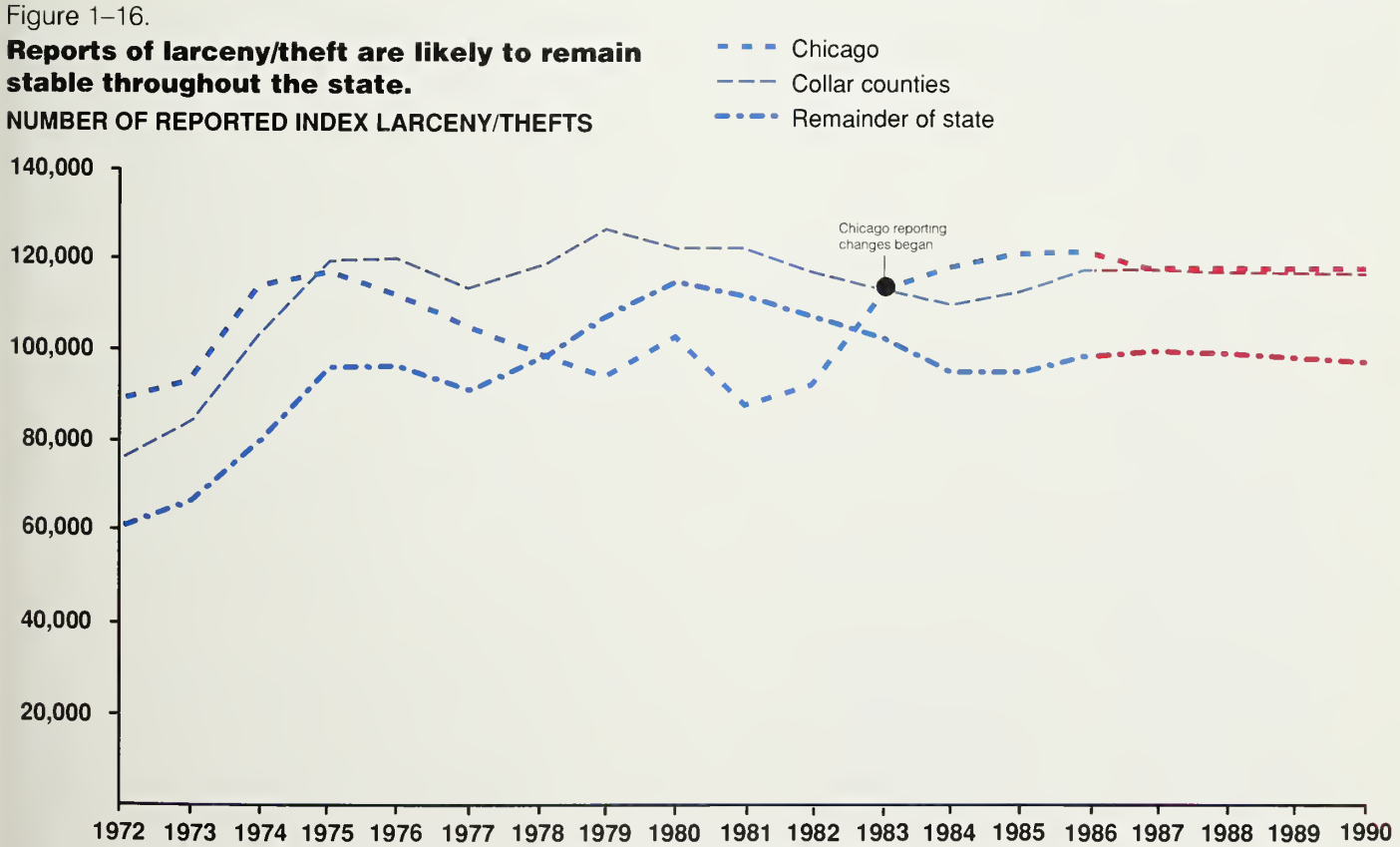
In the collar counties, reported motor vehicle thefts have been stable since 1981, and this trend is expected to continue through the rest of the 1980s. The 17,700 offenses projected for 1990 is only slightly higher than the 17,400 motor vehicle thefts reported in 1986. In the rest of the state, on the other hand, the number of motor vehicle thefts has been increasing since 1983, and this trend is expected to continue. From peaks of nearly 9,200 in 1974 and 8,950 in 1979, motor vehicle thefts declined to slightly more than 5,500 in 1983, but then increased to approximately 6,600 in 1986. In 1990, it is expected that almost 7,000 motor vehicle thefts will be reported in Illinois outside Chicago and the collar counties.

WHICH REPORTED CRIMES ARE MOST LIKELY TO RESULT IN AN ARREST?

An "arrest" is the apprehension of someone believed to have committed a crime, regardless of whether or not the person is formally charged. Analyzing arrest trends, however, can be difficult because different law enforcement agencies use different procedures for reporting arrests.

Figure 1–16.

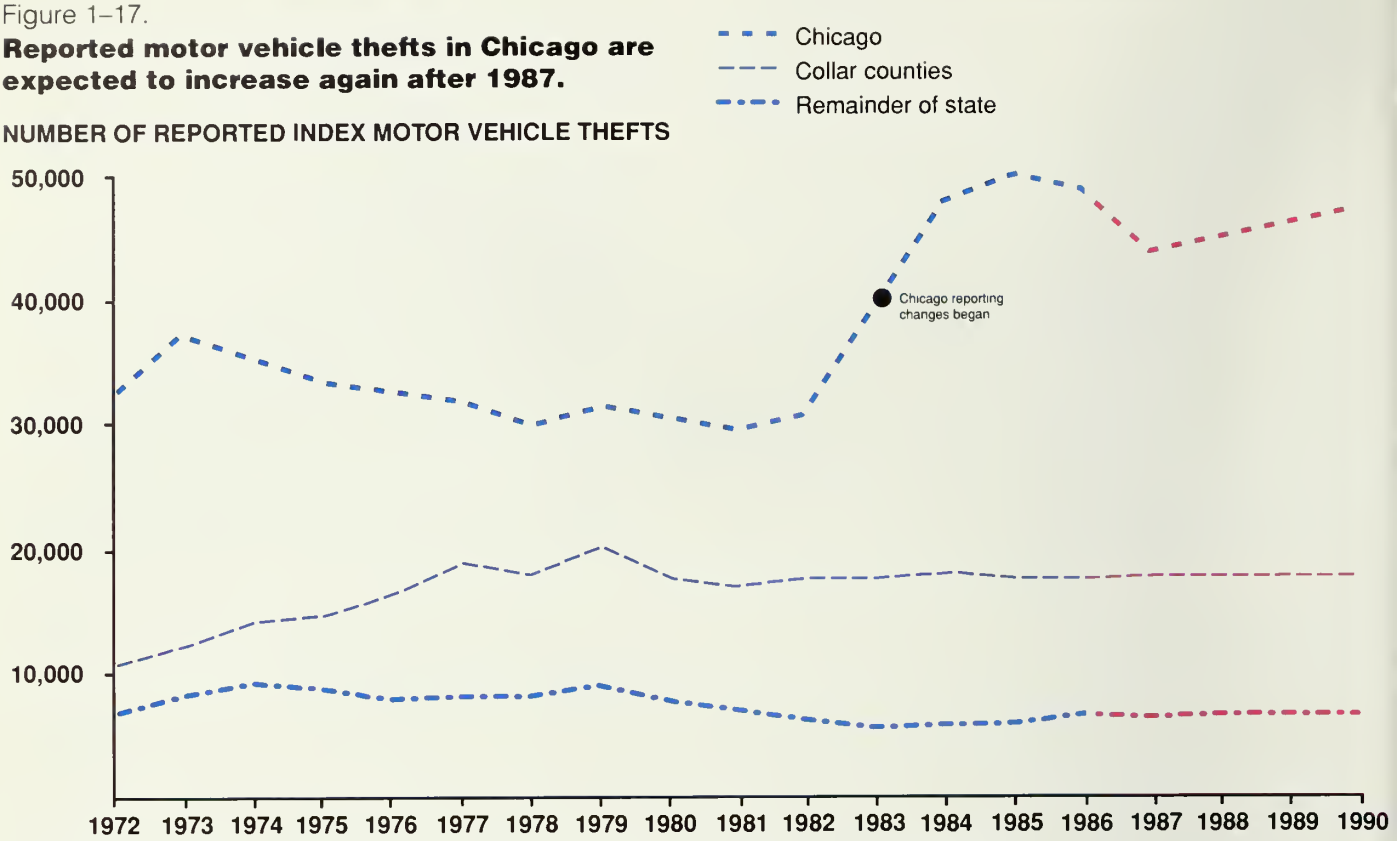
Reports of larceny/theft are likely to remain stable throughout the state.



Source: Illinois Uniform Crime Reports; Illinois Criminal Justice Information Authority (projections)

Figure 1–17.

Reported motor vehicle thefts in Chicago are expected to increase again after 1987.



Source: Illinois Uniform Crime Reports; Illinois Criminal Justice Information Authority (projections)

In fact, a 1984 study found not only that law enforcement agencies throughout the United States define arrests differently, but also that many agencies violate UCR rules for how arrests should be counted.[27] This problem is compounded because of variations in how law enforcement agencies define the different crime categories to which arrests pertain.

Despite these problems in counting arrests, one common way of assessing law enforcement agencies' response to crime is to analyze clearance rates for different types of offenses. A crime is "cleared by arrest" when at least one suspect is arrested for the offense. A crime can also be "cleared exceptionally." This occurs when police identify the likely offender, but for exceptional reasons, such as the death of the suspect or the failure of the victim to file a complaint, they cannot make an arrest.[28] Keep in mind that the number of arrests does not equal the number of offenses cleared by arrest, because several suspects can be arrested for a single offense or a single suspect can be arrested for several different offenses.

Statewide in 1986, crimes against people were much more likely to be cleared than were crimes against property (Figure 1-18). About two-thirds of the murders and aggravated assaults, and more than half of the criminal sexual assaults, aggravated batteries, and kidnappings, were cleared in 1986. In contrast, only about one-fourth of the thefts and less than 11 percent of the burglaries and motor vehicle thefts were cleared in 1986.

Many factors may account for the difference in clearance rates between violent and property crimes. For example, it is often easier for a victim or witness to identify the offender during a personal attack than during a property crime. In addition, law enforcement officials often place a higher priority on investigating violent crimes and arresting suspected violent criminals.

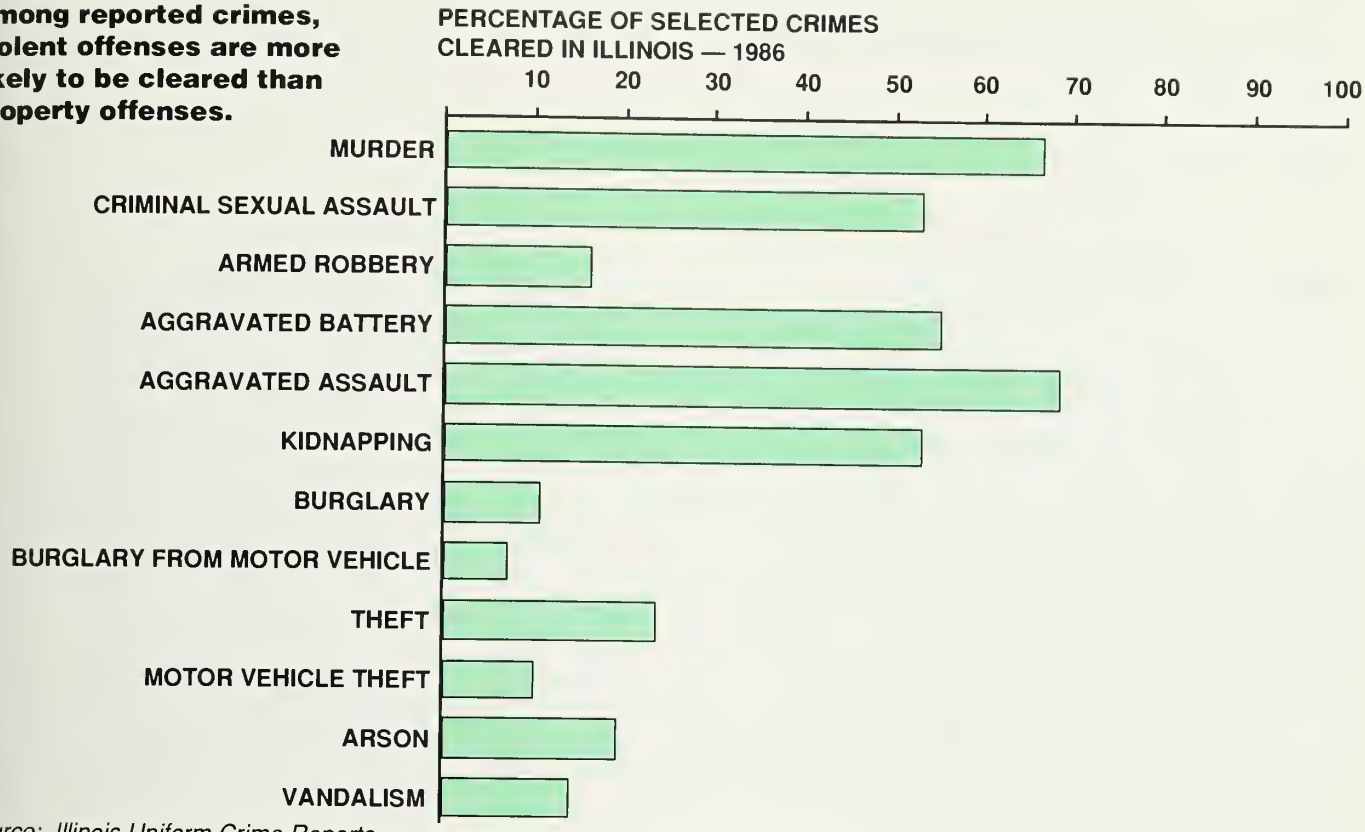
HOW MANY ARRESTS IN ILLINOIS INVOLVE JUVENILES?

In 1986, adults were involved in about 80 percent of the arrests in Illinois for all crimes excluding traffic violations; juveniles accounted for the remaining 20 percent of the arrests (Figure 1-19). Within each group, there were approximately five misdemeanor arrests for every one felony arrest.[29]

It is unlikely, however, that the reported number of juvenile arrests accurately reflects either the level of juvenile crime in the state or law enforcement's response to it. In one respect, the arrest figures *underestimate* juvenile crime because many juveniles who come to the attention of law enforcement authorities for crimes for which an adult would be arrested are instead handled

Figure 1–18.

Among reported crimes, violent offenses are more likely to be cleared than property offenses.



Source: Illinois Uniform Crime Reports

informally. These juveniles are not actually "arrested," and they do not always appear on official police arrest statistics. However, because juveniles tend to commit crimes in groups, it is common for several of them to be arrested for one offense. In this respect, arrests may actually *overestimate* juvenile crime.[30]

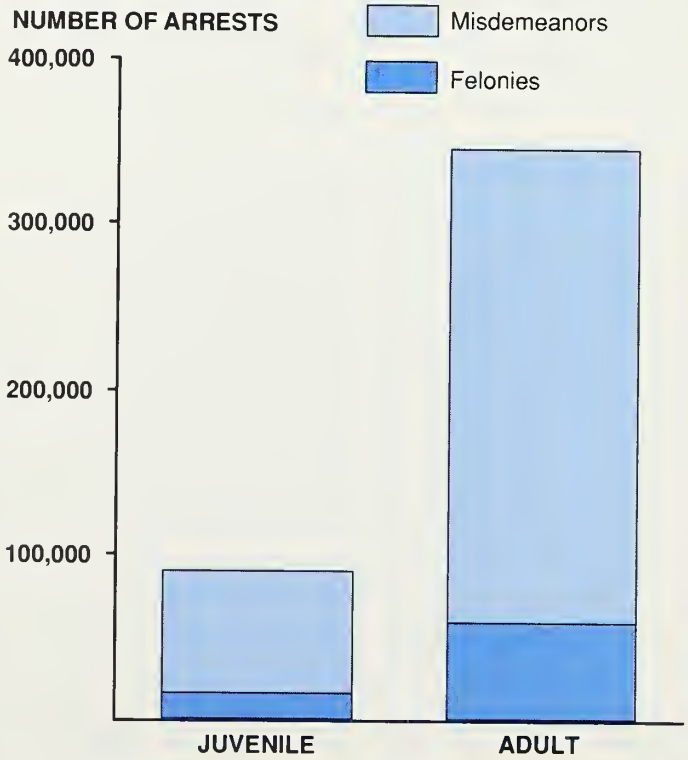
ARE MOST ARRESTS IN ILLINOIS FOR PROPERTY OR VIOLENT CRIMES?

Just as reported property crimes outnumber reported violent crimes in Illinois, the number of arrests for property crimes also exceeds the number of arrests for violent crimes (Figure 1-20). Between 1972 and 1986, there were approximately five property crime arrests for every one violent crime arrest in the state. This ratio was as low as 3-to-1 in the early 1970s and as high as 6-to-1 in recent years.

During those 15 years, arrests for property and violent crimes followed completely different patterns. Statewide, violent crime arrests dropped 30 percent, from approximately 23,000 in 1972 to about 16,200 in 1986. (However, as the next section of this chapter shows, a relatively high proportion of these violent crime arrests were for the most serious crimes.) Arrests for property crimes increased 33 percent, from almost 75,000 in 1972 to more than 99,600 in 1986.

Figure 1–19.

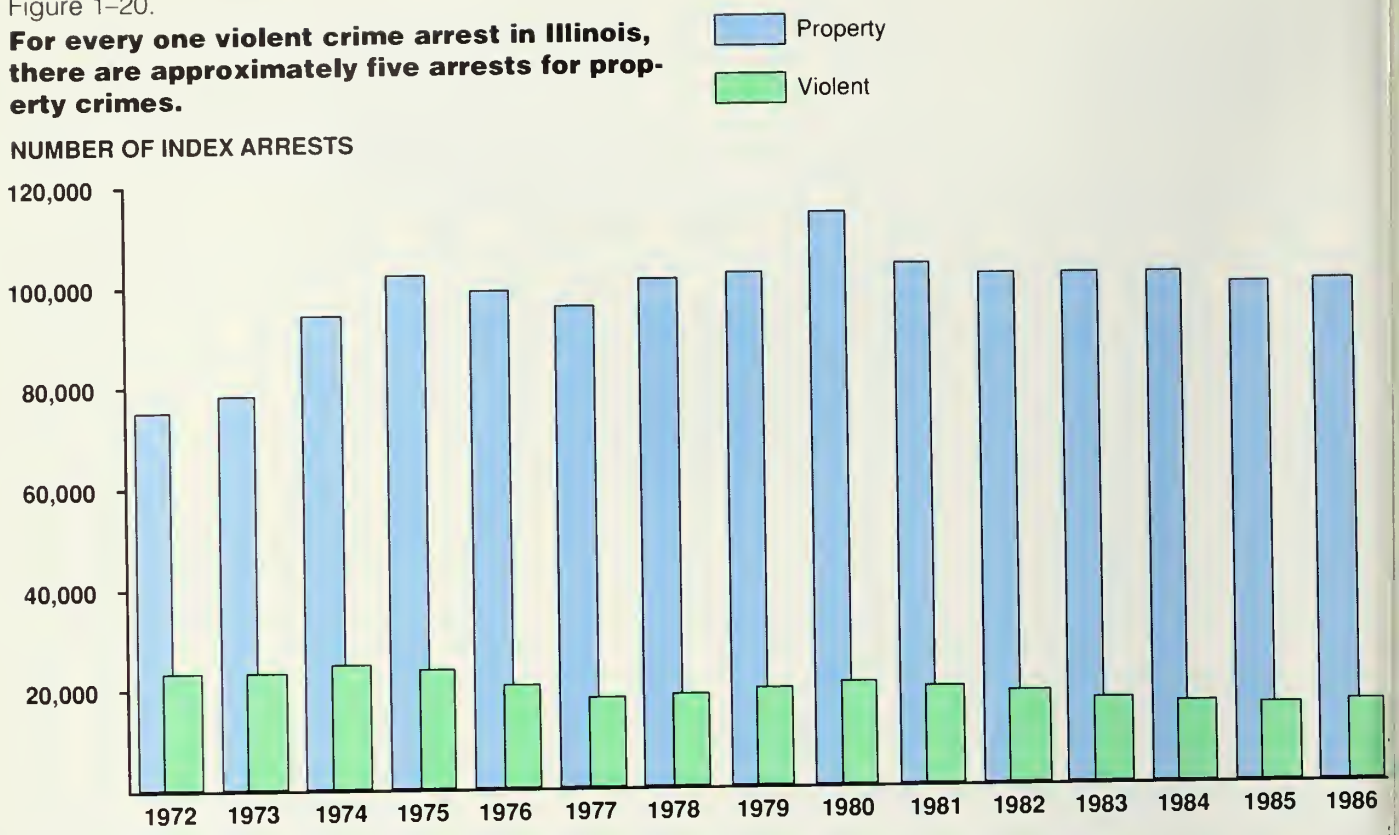
Four times as many adults as juveniles were arrested in Illinois in 1986.



Source: Illinois Uniform Crime Reports

Figure 1–20.

For every one violent crime arrest in Illinois, there are approximately five arrests for property crimes.



Source: Illinois Uniform Crime Reports

HOW DOES THE DISTRIBUTION OF ARRESTS COMPARE WITH THE DISTRIBUTION OF OFFENSES IN ILLINOIS?

In 1986, murder accounted for about 1 percent of the violent offenses reported in Illinois. That same year, however, more than 6 percent of all violent crime *arrests* in the state were for murder (Figure 1-21). Similarly, sexual assault accounted for a higher proportion of violent crime arrests (11 percent) than reported offenses (6 percent) in 1986. For both robbery and aggravated assault, the proportion of all violent crime arrests was slightly lower than the proportion of reported violent offenses.

Among property crimes in 1986, the proportion of arrests involving larceny/theft (79 percent) was greater than the proportion of reported property offenses involving the crime (62 percent). For burglary and motor vehicle theft, the opposite was true: their proportion of reported property offenses exceeded their proportion of property crime arrests that year (Figure 1-22).

Although the differences between offense and arrest distributions are not large, the differences that do exist may be attributable to the varying degree of difficulty in solving different crimes. Another factor is the number of suspects and offenses involved in each arrest. For some crimes, it is common for one person to be arrested for multiple offenses, while for other crime types it is common for several people to be arrested for a single offense.

WHICH AGE GROUPS ARE MOST "CRIME PRONE"?

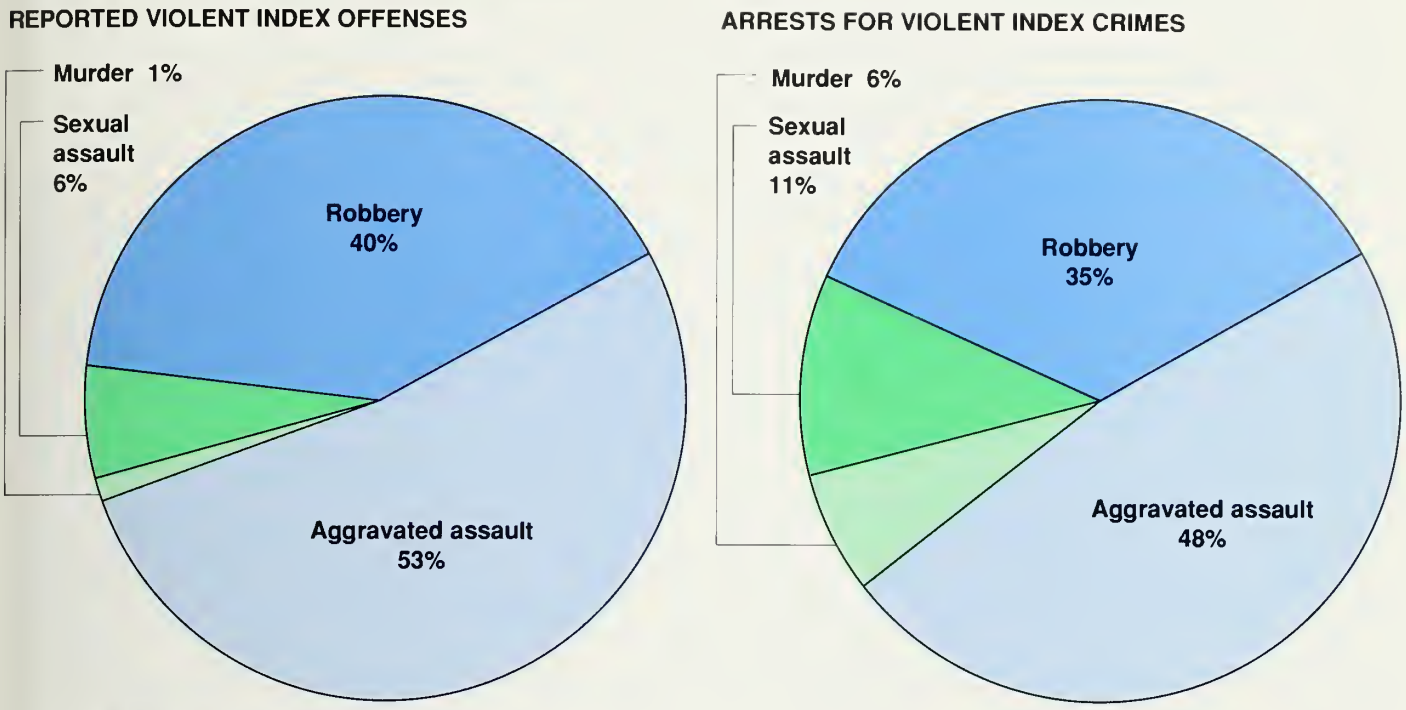
Criminologists often argue that different age groups have different propensities to commit crime.[31] In general, older teenagers and young adults are thought to commit more crimes than older adults. If this hypothesis is true, then arrest rates for different age groups should reflect that pattern.

Age-specific arrest rates are calculated by dividing the number of arrests for an age group by the number of people in that age group for a particular year; the rates are then expressed as the number of arrests per 100,000 people in the age group. For this report, age-specific arrest rates for total violent crime and total property crime from 1972 through 1986 were calculated for five different age groups: 10- to 16-year-olds, 17- to 19-year-olds, 20- to 24-year-olds, 25- to 29-year-olds, and 30- to 59-year-olds.[32] In national crime data, these age groups consistently exhibit different arrest rates for every index crime.

As expected, arrest rates among the five age groups also varied significantly in Illinois. The chance of

Figure 1–21.

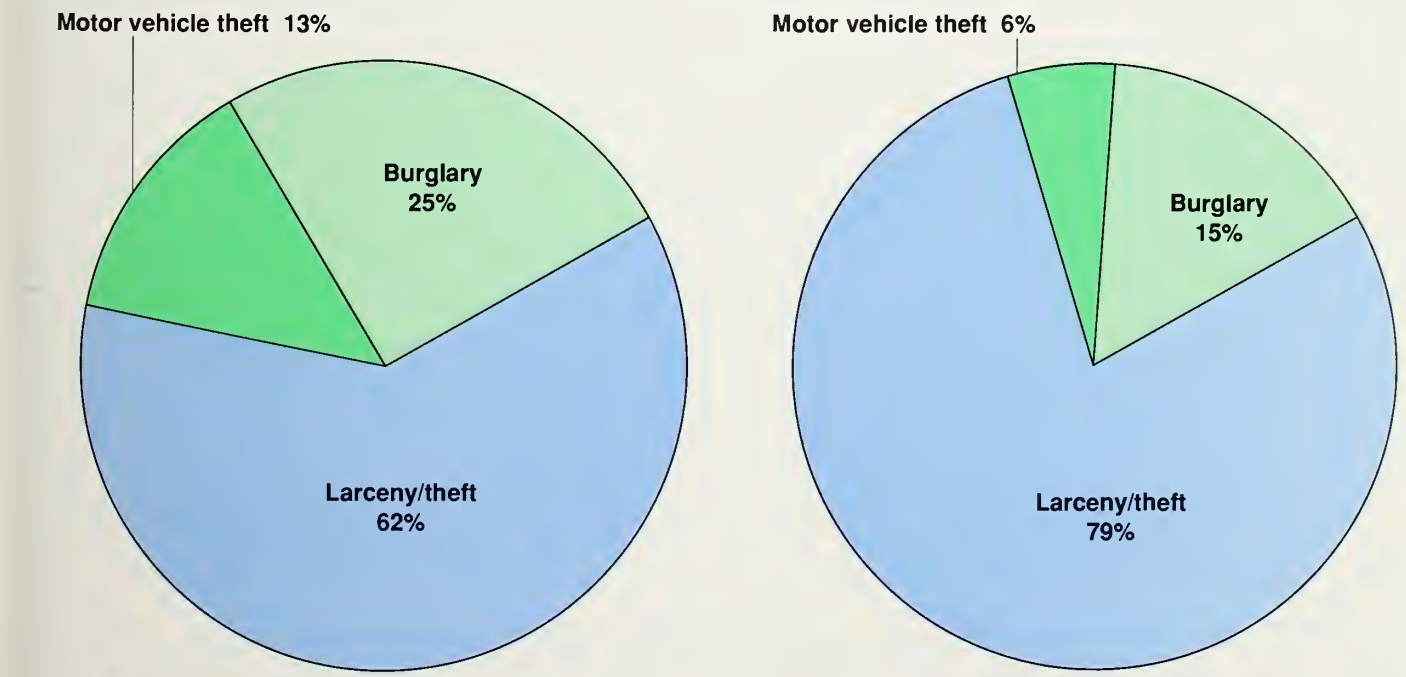
In 1986, murder and sexual assault accounted for a greater proportion of violent crime arrests than reported offenses.



Source: Illinois Uniform Crime Reports

Figure 1–22.

In 1986, burglary and motor vehicle theft accounted for a smaller percentage of property crime arrests than reported offenses.



Source: Illinois Uniform Crime Reports

being arrested was consistently highest among 17- to 19-year-olds — for both violent and property crimes in almost every year analyzed (see Figures 1-23 and 1-24). And although arrest rates within each age group fluctuated considerably from year to year, these fluctuations followed remarkably similar patterns, though on different scales. This consistency suggests that the myriad social, economic, and other factors that affect crime rates during a given time period are felt by all age groups to some degree.

For all five age groups, arrest rates for property crimes were, predictably, much higher than arrest rates for violent crimes. However, the difference between violent and property crime arrest rates was especially pronounced among juveniles aged 10 to 16. For them, the average property crime arrest rate from 1981 through 1986 (2,511 per 100,000 population) was about nine times greater than their average violent crime arrest rate (274) for this period.

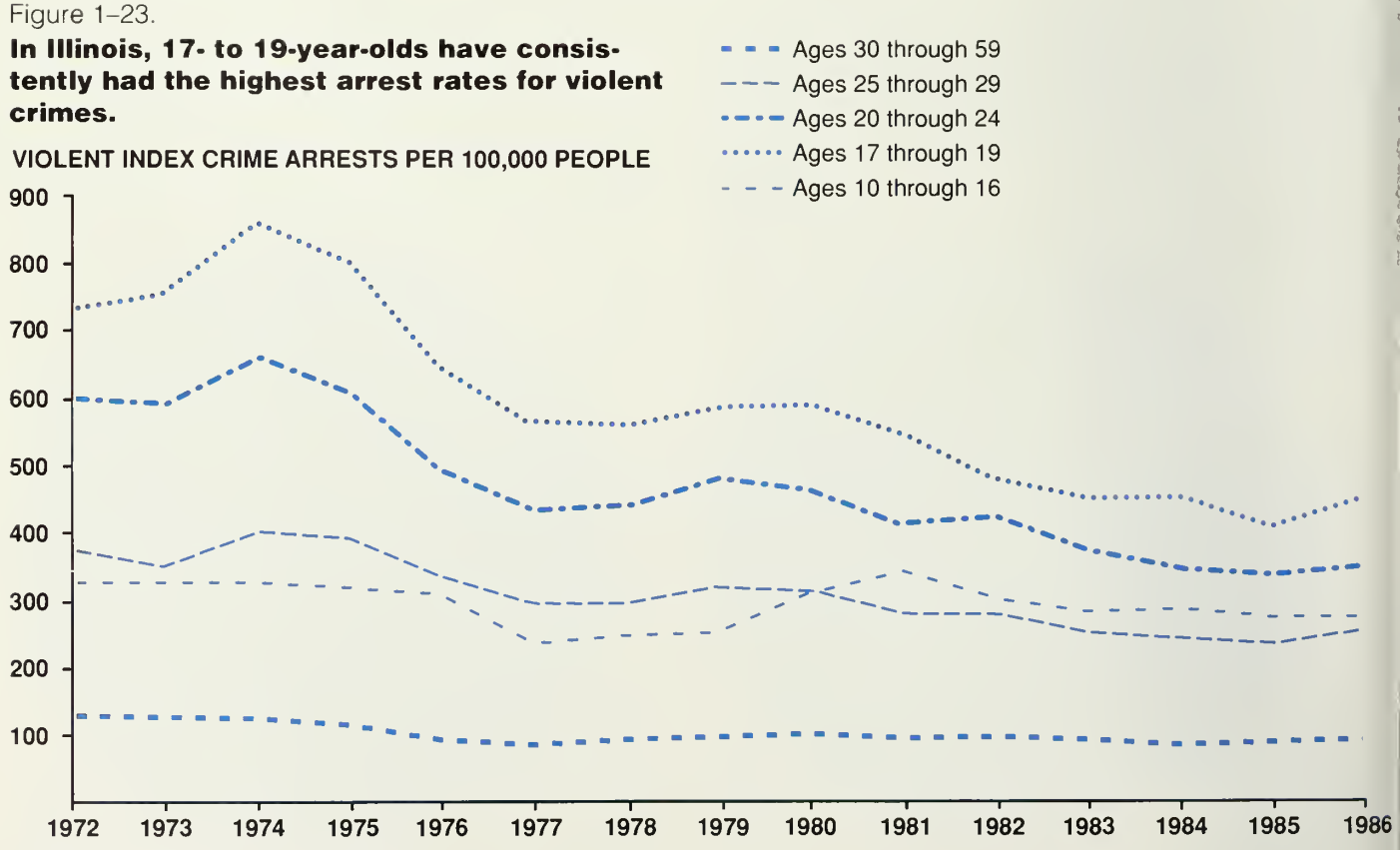
Between 1972 and 1986, the highest violent crime arrest rates for the four adult age groups occurred from 1972 to 1974 (Figure 1-23).[33] The lowest rates generally occurred after 1980. The decline in violent crime arrest rates between 1974 and 1985 was dramatic for all four of these age groups — 53 percent for 17- to 19-year-olds, 48 percent for 20- to 24-year-olds, 41 percent for 25- to 29-year-olds, and 28 percent for 30- to 59-year-olds. This trend of declining violent crime arrest rates may be changing, however. In 1986, the rates increased for each of the four age groups.

When compared with violent crime arrest patterns among the four adult age groups, the number of such arrests of children aged 10 to 16 changed very little between 1972 and 1986, despite a sharp decline in the number of 10- to 16-year-olds in the Illinois population during that time (see Figure 1-25). The highest violent crime arrest rate for this group occurred in 1981, when it was 343 per 100,000 population. After the 1981 peak, the violent crime arrest rate for 10- to 16-year-olds declined to 274 per 100,000 population in 1986. In 1981, 4,509 children aged 10 to 16 were arrested for violent crimes in Illinois; in 1986 the number of these arrests, 3,296, was the lowest yearly total of the entire 1972-to-1986 period.

Trends in arrest rates for property crimes were very different from those for violent crimes. For all five age groups (including 10- to 16-year-olds), the lowest property crime arrest rates occurred in the early 1970s, when most violent crime arrest rates were at their highest (Figure 1-24). Property crime arrest rates for persons aged 17 to 19 and 20 to 24 peaked in 1975, and then gradually decreased until 1980, when they rose sud-

Figure 1–23.

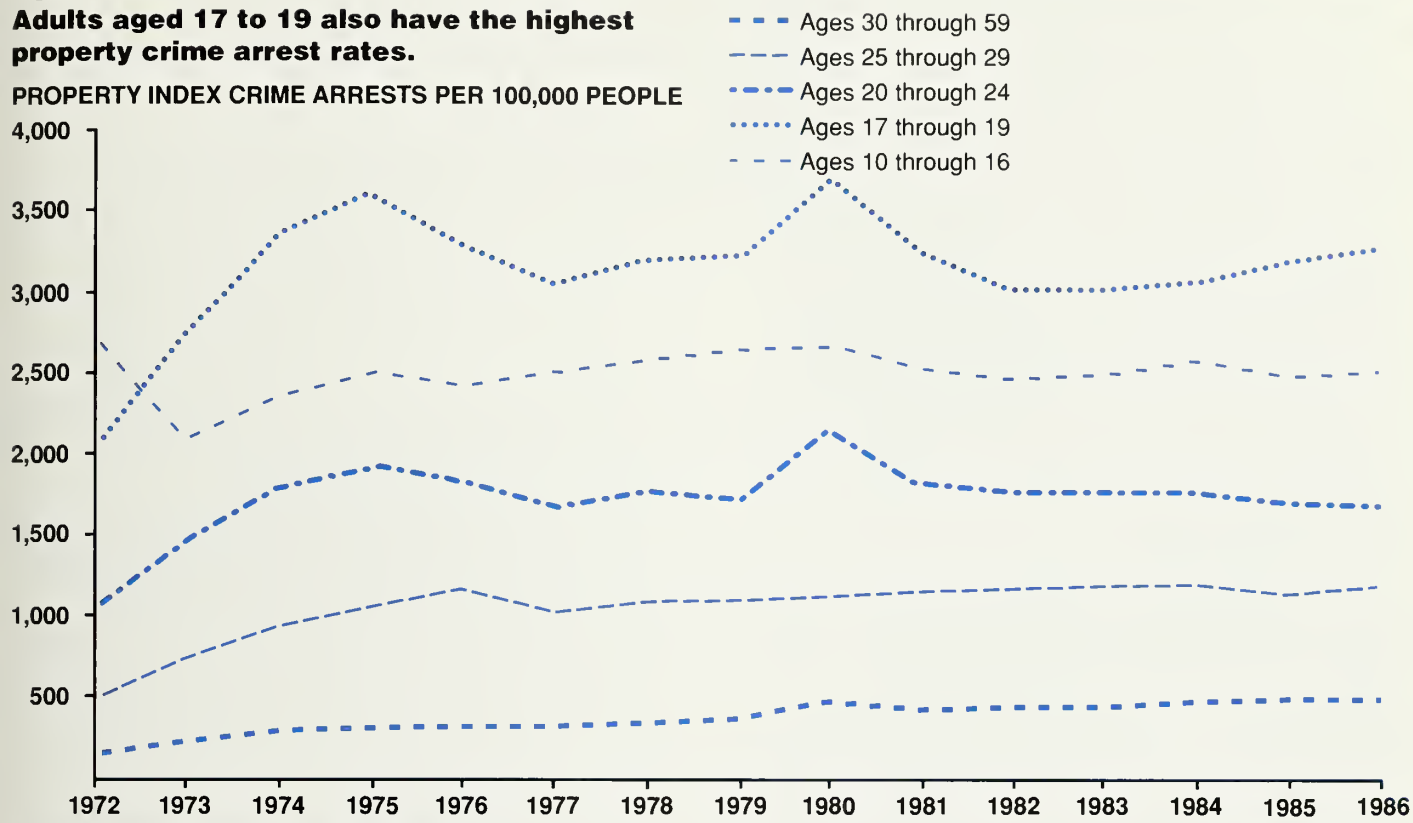
In Illinois, 17- to 19-year-olds have consistently had the highest arrest rates for violent crimes.



Source: Illinois Uniform Crime Reports

Figure 1–24.

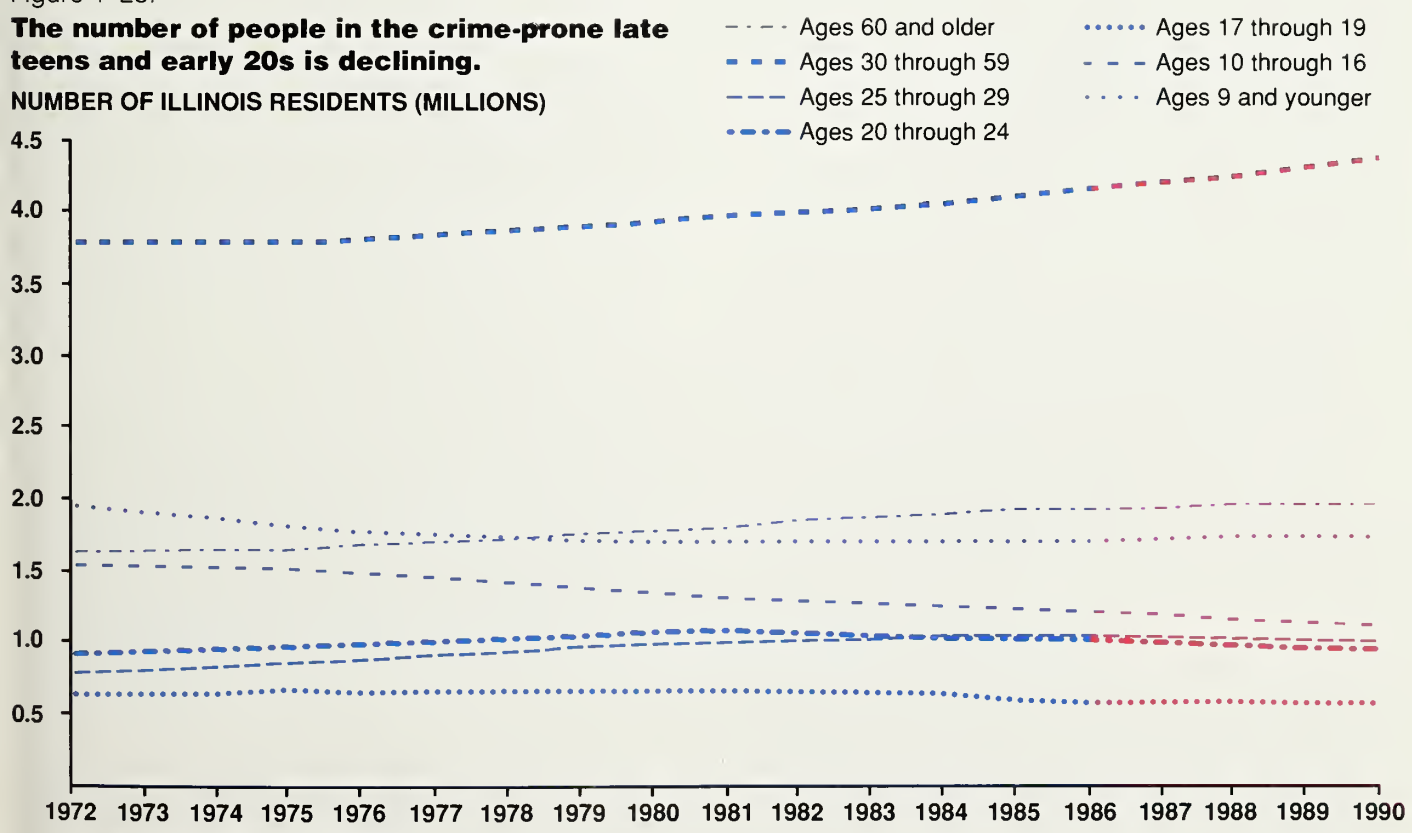
Adults aged 17 to 19 also have the highest property crime arrest rates.



Source: Illinois Uniform Crime Reports

Figure 1–25.

The number of people in the crime-prone late teens and early 20s is declining.



Source: Illinois Bureau of the Budget

denly. The rates for 20- to 24-year-olds generally declined after 1980, while the rates for 17- to 19-year-olds declined before increasing again in 1985 and 1986. In contrast, property crime arrest rates for 10- to 16-year-olds fluctuated little from 1974 to 1986:[34] the difference between the highest rate for this group (which occurred in 1980) and the lowest rate (in 1974) was only 10 percent.

The dramatic increase in property crime arrest rates among 17- to 24-year-olds in 1980 also occurred among 30- to 59-year-olds. Many factors may explain these increases. One possibility is that poor economic conditions during the year prompted more people of different ages to commit property crimes to earn a living (reported property crimes did, in fact, increase in 1980). However, the increased rates may also suggest greater success among law enforcement agencies in apprehending property offenders.

For the two older age groups — those aged 25 to 29 and 30 to 59 — property crime arrest rates increased steadily throughout the 15-year period from 1972 to 1986. For both groups, the lowest arrest rates occurred in 1972, while the highest arrest rates took place in 1986. During the 15 years, the population of 25- to 29-year-olds grew by one-third, but the number of property crime arrests involving this age group more than tripled, from 3,940 in 1972 to nearly 12,300 in 1986. The group's property crime arrest rate per 100,000 population also increased dramatically, from 500 in 1972 to 1,181 in 1986.

HOW WILL ARREST TRENDS IN ILLINOIS CHANGE THROUGH 1990?

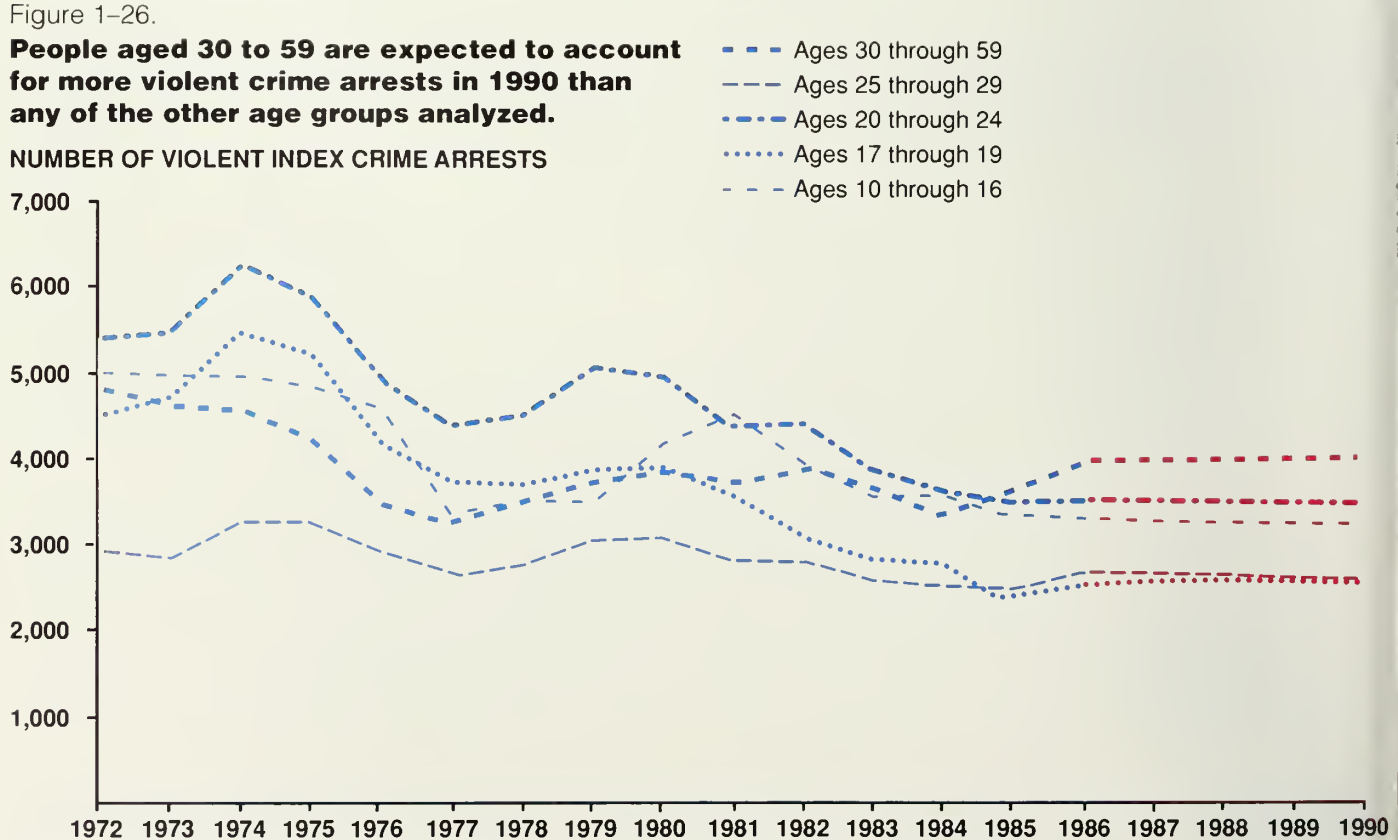
To project future arrest levels in Illinois, it is important to know two things: the expected number of people in the state, and the anticipated rate at which those people will be arrested. For the arrest projections in this report, population estimates were taken from the Illinois Bureau of the Budget for seven different age groups — 9 and younger, 10 to 16, 17 to 19, 20 to 24, 25 to 29, 30 to 59, and 60 and older (Figure 1-25).[35] Estimates of future arrests — for both violent and property crimes and for the different age groups — were based on the average arrest rates for the years 1981 through 1986.[36]

For the four violent index crimes — murder, sexual assault, robbery, and aggravated assault — the following statewide arrest trends are expected (Figure 1-26):

- From 1981 through 1986, the average violent crime arrest rate among 10- to 16-year-olds was 293 per 100,000 population. If this rate continues, and if the number of 10- to 16-year-olds in the state's population falls as expected, the number of violent crime arrests of people in this age group will decline to about 3,200 in 1990.

Figure 1-26.

People aged 30 to 59 are expected to account for more violent crime arrests in 1990 than any of the other age groups analyzed.



Source: Illinois Uniform Crime Reports; Illinois Criminal Justice Information Authority (projections)

- The number of violent crime arrests of people aged 17 to 19 decreased rapidly after 1974, when it peaked at more than 5,500 (or 859 arrests per 100,000 population). Although part of the decline in arrests was due to a drop in the number of 17- to 19-year-olds in the state's population, the pattern of arrest rates indicates that a changing population cannot explain completely such a rapid decrease. Between 1981 and 1986, the average violent crime arrest rate for this age group was 464. Assuming that this rate continues through 1990, fewer than 2,600 people aged 17 to 19 will be arrested for violent crimes in 1990.

- The number of 20- to 24-year-olds arrested for violent crimes has also declined since 1974. Again, however, population change is not the only explanation for this decrease. The number of 20- to 24-year-olds in Illinois increased 19 percent between 1972 and 1980, and then declined 7 percent between 1980 and 1986. The violent crime arrest rate per 100,000 population declined from 658 in 1974 to an average of 373 per year between 1981 and 1986. Assuming that the number of people in this age group continues to decline and that their violent crime arrest rate will be 373 in 1990, the number of 20- to 24-year-olds arrested for violent crimes in Illinois will fall from more than 3,500 in 1986 to about 3,400 in 1990.

- The number of Illinoisans aged 25 to 29 increased by about one-third between 1972 and 1986, but the violent crime arrest rate per 100,000 population generally declined — from 398 in 1974 to an average of 257 for the years 1981 through 1986. Assuming a decline in the population of 25- to 29-year-olds and a continuing arrest rate of 257, the number of violent crime arrests involving this age group is expected to decrease slightly to about 2,600 in 1990.

- Among 30- to 59-year-olds, the number of violent crime arrests (4,806) and the corresponding arrest rate (127 per 100,000 population) peaked in 1974. Despite a 10 percent increase in the population of this age group, its violent crime arrest rate declined to an average of 91 between 1981 and 1986. Assuming that this rate continues and that the number of 30- to 59-year-olds continues to increase as expected, the number of violent crime arrests involving this age group is anticipated to remain at about 4,000 in 1990.

- Until 1984, 20- to 24-year-olds were the predominant age group of people arrested for violent crimes in Illinois. Since then, however, the largest single group of violent crime arrestees has been 30- to 59-year-olds. Now, and in the foreseeable future, the state's criminal justice system must deal with an aging population of violent crime defendants and offenders.

This aging trend is even more striking in the projected arrests for property crimes. For the three property index crimes analyzed in this chapter — burglary, larceny/theft, and motor vehicle theft — arrests are expected to follow these statewide trends (Figure 1-27):

- For the two oldest age groups — 25 to 29 and 30 to 59 — both the number of property crime arrests and the corresponding arrest rates per 100,000 population have risen dramatically since 1972. The property crime arrest rate of people aged 30 to 59 was 157 in 1972, but averaged 455 in the years 1981 through 1986. Assuming that this rate continues and that the population of Illinoisans aged 30 to 59 increases as projected, almost 20,000 people in this age group are expected to be arrested for property crimes in 1990. Among 25- to 29-year-olds, the average property crime arrest rate for the years 1981 through 1986 was 1,163. If the rate is the same in 1990 and if the population of Illinoisans aged 25 to 29 declines as expected, approximately 11,500 people in this age group are projected to be arrested for property crimes in 1990.

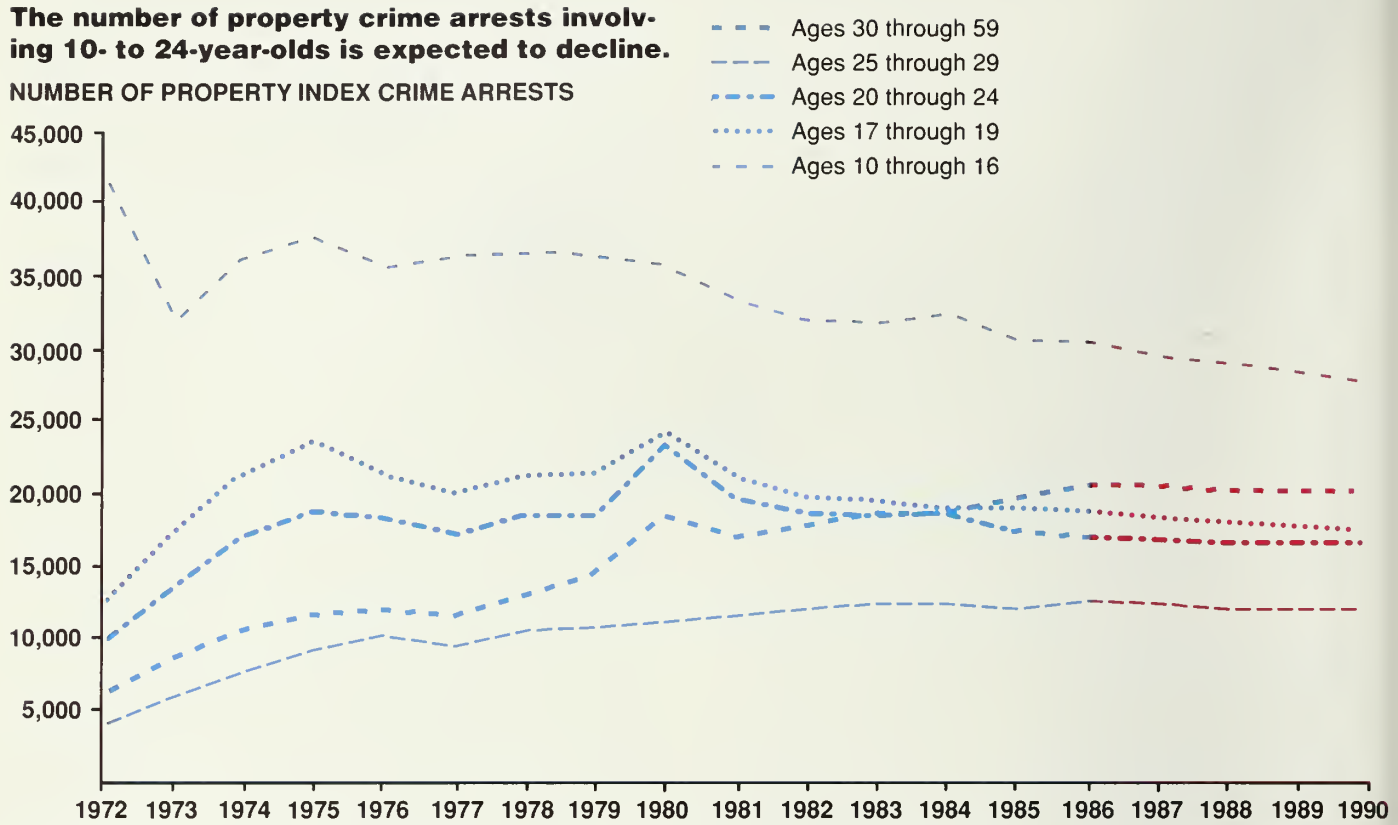
- In contrast to property crime arrests among the older age groups, arrests of people aged 17 to 19 have generally fallen from a 1980 peak of more than 24,000. The property crime arrest rate per 100,000 17- to 19-year-olds was 3,698 in 1980, but the average rate between 1981 and 1986 was substantially lower, 3,138. Assuming that this rate continues and that the population of this age group declines, property crime arrests of people aged 17 to 19 are expected to fall from about 18,500 in 1986 to approximately 17,300 in 1990.

- The property crime arrest rate for 20- to 24-year-olds peaked in 1980 — at 2,154 per 100,000 population — but averaged 1,746 between 1981 and 1986. Assuming that the population of this age group declines as anticipated and that the arrest rate of 1,746 continues, the number of 20- to 24-year-olds arrested for property crimes in Illinois is expected to decline from nearly 16,700 in 1986 to about 16,000 in 1990.

- Between 1981 and 1986, the average property crime rate for 10- to 16-year-olds was 2,511 per 100,000 population. If this rate continues, the number of 10- to 16-year-olds arrested for property crimes in Illinois will fall from nearly 30,200 in 1986 to less than 28,000 in 1990.

Figure 1–27.

The number of property crime arrests involving 10- to 24-year-olds is expected to decline.



Source: Illinois Uniform Crime Reports; Illinois Criminal Justice Information Authority (projections)

- In the coming years, 30- to 59-year-olds will be the predominant age group of adults arrested for property crimes — as well as violent crimes — in Illinois. In addition, their predominance among adult property crime arrestees will grow as times passes.

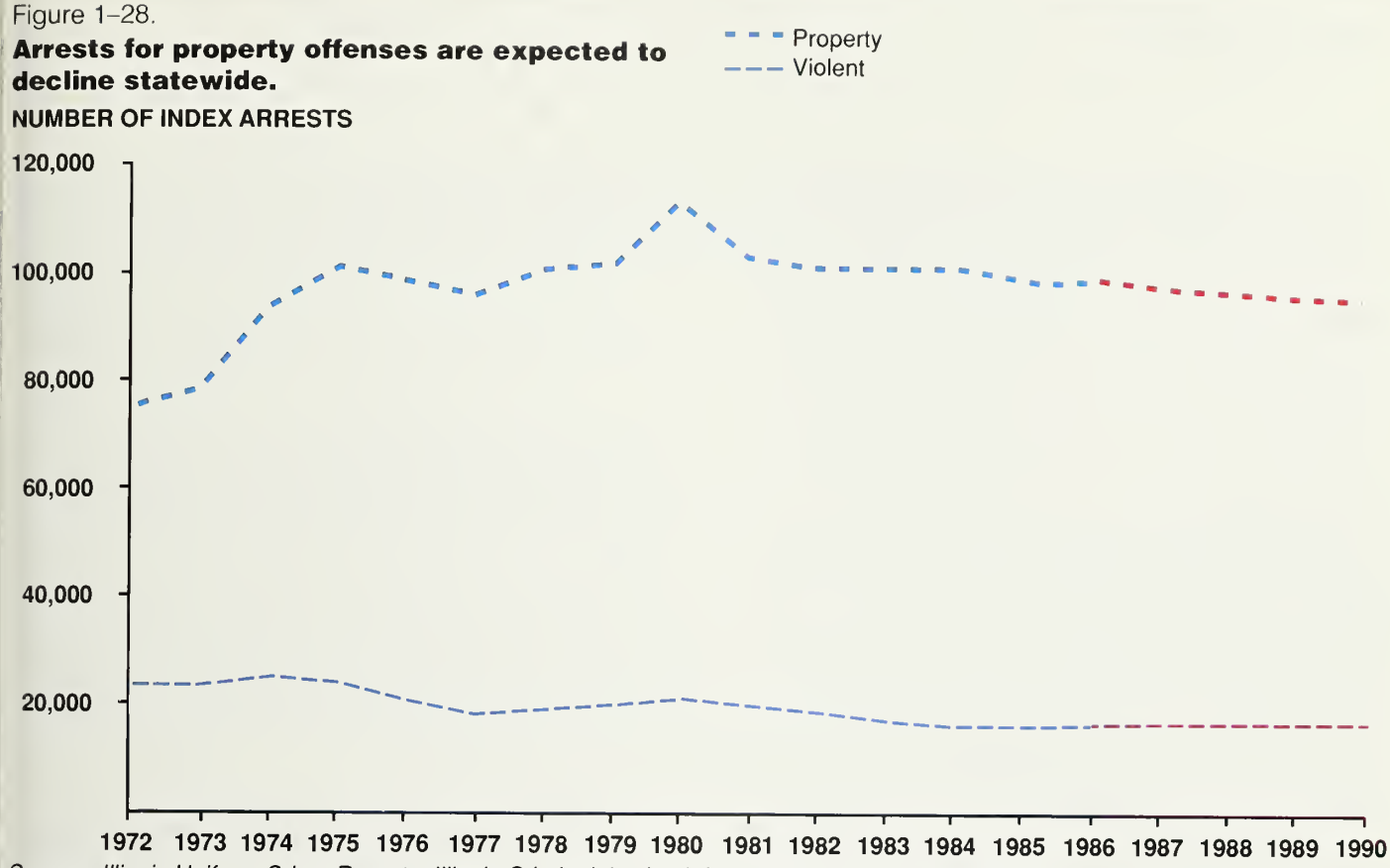
Given these projections for violent and property crime arrests for different age groups, what will the overall arrest trends in Illinois be for the rest of the 1980s? Several scenarios are possible:

- Total arrests for violent index crimes in Illinois have fluctuated from a high of nearly 24,900 in 1974 to a low of about 15,400 in 1985; the number of violent crime arrests in 1986 was slightly more than 16,200. Assuming that the state's population will change as expected and that the arrest rates for all age groups will be the same as their average arrest rates from 1981 through 1986, a conservative estimate of the number of violent crime arrests in 1990 is about 16,000 (Figure 1-28).[37]

However, violent crime arrest rates may be changing: the rate for every age group was higher in 1986 than in 1985. If these arrest rates return to the generally

Figure 1–28.

Arrests for property offenses are expected to decline statewide.



Source: Illinois Uniform Crime Reports; Illinois Criminal Justice Information Authority (projections)

high levels of the early 1970s, the number of violent crime arrests could exceed 24,000 in 1990. On the other hand, if the arrest rates for each age group return to the lowest levels seen since 1972, there could be about 14,000 violent crime arrests in 1990.

- Total arrests for property index crimes in Illinois followed a very different pattern from violent crime arrests. Property crime arrests peaked at more than 113,900 in 1980, and then declined to about 99,600 in 1986. A conservative estimate of the number of property crime arrests expected in 1990 (again assuming the projected population figures and the average arrest rates from 1981 through 1986) is about 94,500 (Figure 1-28).[38]

  However, if the property crime arrest rates for each age group return to the low levels of 1977, then the number of property crime arrests in 1990 could be less than 85,000. But if the rates in 1990 return to the highest level seen since 1972, the number of property crime arrests could exceed 105,000 in 1990.

Notes

[1] These figures are from a national study in which victims were asked, "Were the police informed or did they find out about this incident in any way?" Crimes where a commercial establishment is victimized are excluded. See Caroline Wolf Harlow, *Reporting Crimes to the Police* (Washington, D.C.: Bureau of Justice Statistics, 1985).

[2] James Q. Wilson, *Varieties of Police Behavior* (Atheneum, N.Y.: Atheneum [by permission of Harvard University Press], 1971).

[3] *People v. Pankey*, 94 Ill. 2d 12, 445 N.E. 2d 284 (1983).

[4] *United States v. Seventy-Three Thousand Two Hundred Seventy-Seven Dollars, U.S. Currency*, 710 F. 2d 283 (7th Cir. 1983).

[5] *Kindred v. Stitt*, 51 Ill. 401 (1869).

[6] Ill.Rev.Stat.1985, ch. 24, par. 7-4-7.

[7] Ill.Rev.Stat.1985, ch. 24, par. 7-4-8.

[8] *People v. Carnivale*, 21 Ill. App. 3d 780, 315 N.E. 2d 609 (1st Dist. 1974).

[9] Ill.Rev.Stat.1985, ch. 38, par. 107-8.

[10] Ill.Rev.Stat.1985, ch. 38, par. 107-9(e).

[11] *United States v. Janik*, 723 F. 2d 537 (7th Cir. 1983).

[12] *Tennessee v. Garner*, 105 S. Ct. 1694 (1985).

[13] Ill.Rev.Stat.1985, ch. 38, par. 7-5(a).

[14] For more information about I-UCR statistics, see Louise S. Miller and Carolyn R. Block, *Introduction to Illinois Uniform Crime Reports* (Chicago: Illinois Criminal Justice Information Authority, 1985).

[15] Arrest data for Chicago are available in monthly totals only.

[16] For a detailed analysis of how the changes in the Chicago Police Department's reporting practices affected the number of robbery and assault offenses, see Carolyn R. Block and Sheryl L. Knight, *Is Crime Predictable? A Test of Methodology for Forecasting Criminal Offenses* (Chicago: Illinois Criminal Justice Information Authority, 1987).

[17] For more information about homicide in Illinois, see Louise S. Miller, *Murder in Illinois: 1973 to 1982* (Chicago: Illinois Criminal Justice Information Authority, 1983).

[18] For a detailed explanation of Chicago homicide trends, see two Authority publications by Carolyn R. Block: *Lethal Violence in Chicago Over Seventeen Years* (1985) and *Specification of Patterns Over Time in Chicago Homicide* (1985).

[19] Ill.Rev.Stat.1985, ch. 38, par. 12-12 et. seq.

[20] See Block and Knight, 1987 (note 16, above).

[21] "Other large municipalities" is a U.S. Census Bureau designation of cities (or twin municipalities) that have more than 50,000 people and that exhibit characteristics of a major metropolitan center. In Illinois, these cities are Arlington Heights, Aurora, Bloomington-Normal, Champaign-Urbana-Rantoul, Cicero, Decatur, Des Plaines, East St. Louis, Elgin, Evanston, Joliet, Kankakee, Moline, Rock Island, Mount Prospect, Oak Lawn, Oak Park, Peoria, Rockford, Schaumburg, Skokie, Springfield, and Waukegan.

[22] When comparing crime rates across regions, it is important to remember that UCR data represent only those crimes *reported to police*. Therefore, differences in crime rates may be partially due to regional differences in perceptions of crime. These perceptions, in turn, affect both crime-reporting practices by citizens and crime-

recording practices by local law enforcement agencies.

[23] See *Appendix B* for a detailed discussion of the methodology used for the offense projections in this chapter.

[24] Block and Knight, 1987 (see note 16, above).

[25] Block and Knight, 1987 (see note 16, above).

[26] Arson was excluded from this chapter because it was not designated as an index crime until 1980. Since earlier, non-index arsons were reported differently than index arson offenses, the crime could not be analyzed over the same time period used for the other three property index crimes and the four violent index crimes.

[27] Lawrence W. Sherman and Barry D. Glick, *The Quality of Police Arrest Statistics* (Washington, D.C.: Police Foundation, 1984).

[28] The failure of the victim to file a complaint does not, in itself, preclude police from making an arrest. Officers may still arrest a suspect if they have enough evidence to do so.

[29] In Illinois, a felony is a criminal offense that is punishable by a sentence in state prison of one year or more or by a sentence of death. A misdemeanor is a criminal offense for which a sentence of imprisonment of less than one year in a facility other than a state penitentiary may be imposed.

[30] For more information about juvenile crime and how young offenders are handled in Illinois, see Chapter 5.

[31] See *Age-Specific Arrest Rates (Washingto*n, D.C.: Federal Bureau of Investigation, Uniform Crime Reporting Program, 1984). Also, Carolyn R. Block, *The Meaning and Measurement of Offender's Age in Criminology Research* (paper presented at the annual meeting of the American Society of Criminology, 1986).

[32] Persons aged 9 and younger and those aged 60 and older had arrest rates that were too low for meaningful analysis. "Arrest" rates for juveniles aged 10 to 16 actually represent the rates at which these young people are "taken into custody." In a strict sense, these rates are not comparable to adult arrest rates, but are presented here for reasons of comprehensiveness only. For more information about juvenile "arrest" statistics, see Chapter 5.

[33] The violent crime arrest rate of people aged 30 to 59 followed a similar but slightly different pattern than the patterns for the other adult age groups. The rate peaked at 127 per 100,000 population in 1972, declined to a rate of 82 in 1984, and was 88 in 1985 and 95 in 1986.

[34] The high property crime arrest rate among 10- to 16-year-olds in 1972 (2,720 per 100,000 population), followed by the lowest rate in any year thereafter (2,088 in 1973), may indicate a change in definition in those years.

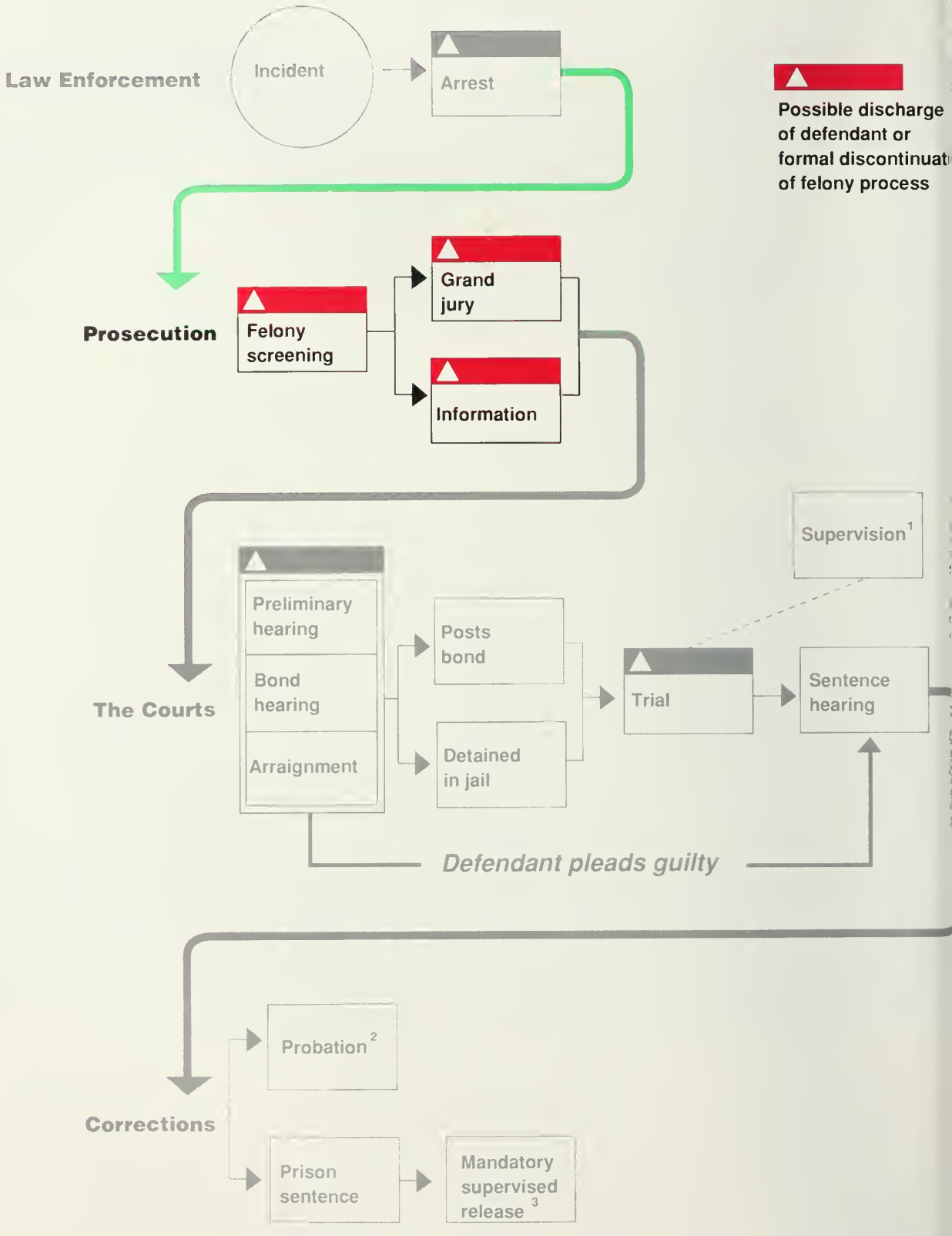
[35] The source of population data and projections is *Illinois Population Trends from 1970-2025* (Springfield, Ill.: Illinois Bureau of the Budget, 1984).

[36] See *Appendix B* for a detailed discussion of the methodology used for the arrest projections in this chapter. Also note that arrest projections for the youngest (9 and under) and the oldest (60 and over) age groups are not analyzed separately because the numbers are so small; however, projections for these two age groups are included in the statewide projections for total violent crime arrests and total property crime arrests.

[37] This violent crime arrest total includes projections for all seven age groups, including the 34 expected violent crime arrests of children aged 9 and younger and the 174 expected arrests of adults aged 60 and older.

[38] This property crime arrest total also includes projections for all seven age groups.

An Overview of Felony Processing in Illinois



[1] After successful completion of court supervision, charges may be dismissed
[2] Or other form of court supervision, such as conditional discharge
[3] Or other conditional release from prison

PROSECUTION

Overview

The job of the prosecutor is to represent the people of Illinois in criminal proceedings and to seek justice on their behalf. After a suspected offender has been identified and arrested, it is up to the prosecutor to evaluate the case, to file formal charges in court, and to handle the case through trial and possible appeals.

HOW ARE PROSECUTORS' OFFICES ORGANIZED IN ILLINOIS?

In Illinois, several public officials perform prosecutorial duties:[1]

- State's attorneys are the most visible criminal prosecutors in Illinois. Each of the state's 102 counties is served by a state's attorney, who is elected by the people of that county to a four-year term. State's attorneys are the highest-ranking law enforcement officers in their respective counties, and on behalf of the state, they commence and carry out nearly all criminal proceedings in the counties.
- The Illinois attorney general, as the chief legal officer of the state, also holds prosecutorial powers. The attorney general represents the state in criminal appeals before both the Illinois Supreme Court and the U.S. Supreme Court. In addition, the attorney general initiates criminal prosecutions for violations of Illinois' anti-pollution laws, and also advises and assists state's attorneys in criminal matters when requested or when, in the attorney general's judgment, the interests of the state require such assistance.[2]
- The Office of the State's Attorneys Appellate Prosecutor may assist state's attorneys with criminal appeals, although the state's attorneys are ultimately responsible for appeals originating in their counties.[3] The Illinois General Assembly created this office to coordinate and expedite criminal appeals on behalf of state's attorneys, thereby enabling them to devote more of their resources to trial litigation. In addition to its primary duties of preparing, filing, and arguing criminal appeals, the Office of the State's Attorneys Appellate Prosecutor provides state's attorneys with many investigative and educational services as well. Governed by a board of 10 state's attorneys,[4] the office is staffed by a director who is responsible for the overall supervision and coordination of the agency, four deputy directors, more than 30 staff attorneys, and various support personnel. The office has four district offices located in Elgin, Ottawa, Springfield, and Mt. Vernon.

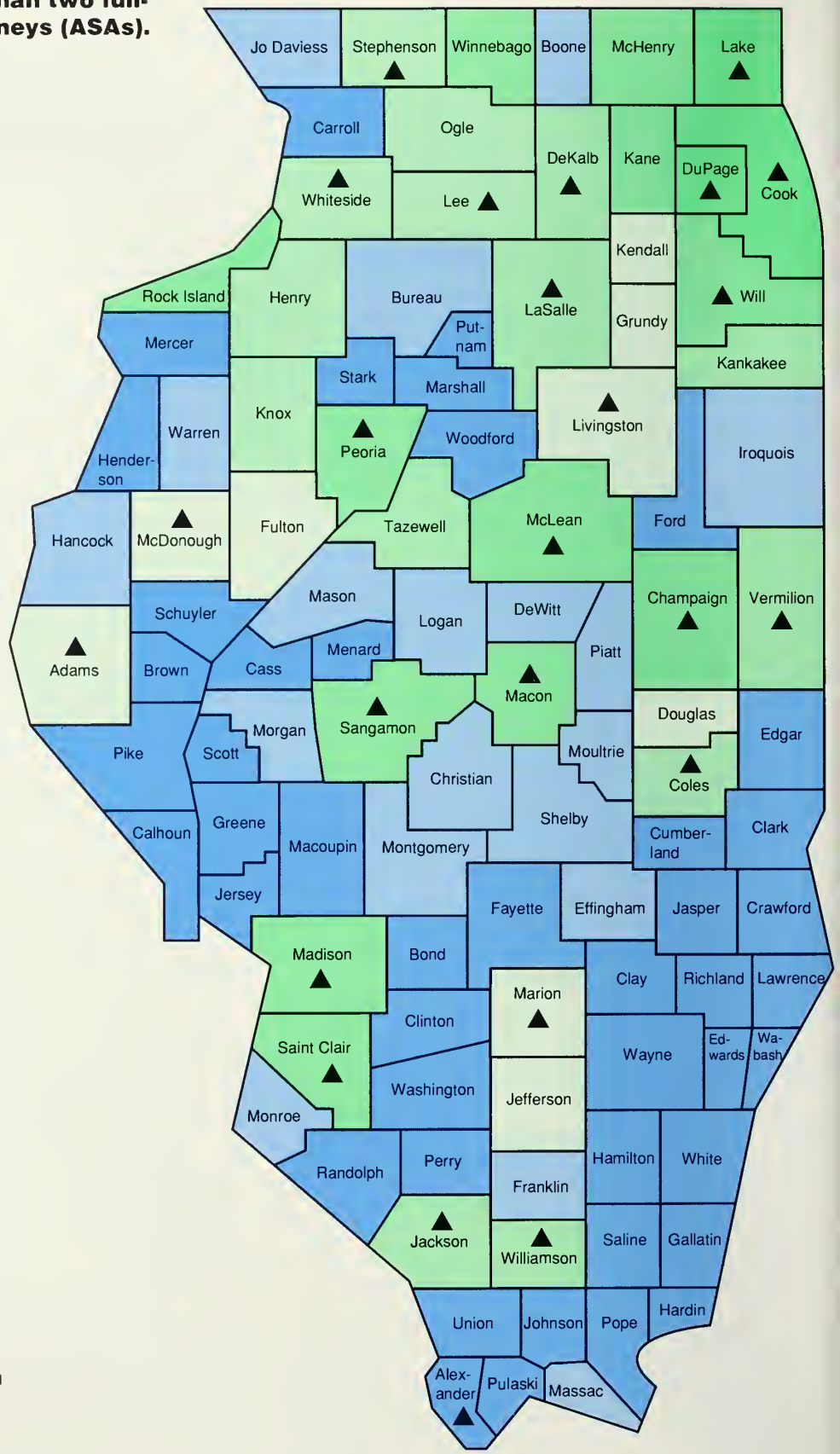
By far, most prosecutorial duties in Illinois are performed locally by state's attorneys. The size and complexity of state's attorneys' offices vary considerably, and the organization and staffing of each office generally reflect the workload and available resources in that county. In large counties, the prosecutor's office usually includes both the elected state's attorney and a staff of assistant state's attorneys, investigators, and support personnel. In small counties, the state's attorney often performs all prosecutorial functions, with little or no assistance.

The 102 state's attorneys' offices in Illinois employ slightly more than 1,000 full-time assistant state's attorneys.[5] Forty-five counties have no full-time assistant state's attorneys; the elected state's attorney is the sole prosecutor in those counties (Figure 2-1). Nineteen other counties have one full-time assistant state's attorney.[6]

Prosecutors in Illinois have wide discretion to establish policies and procedures that best serve the needs of their counties using available resources. Still, all state's attorneys perform the same basic functions in criminal cases: initial screening of charges, investigating and preparing cases, filing formal charges in court, coordinating the roles of victims and witnesses, negotiat-

Figure 2–1.

Most counties have fewer than two full-time assistant state's attorneys (ASAs).



NUMBER OF FULL-TIME ASAs*

- Elected state's attorney only
- 1 ASA
- 2 ASAs
- 3-4 ASAs
- 5-9 ASAs
- 10-25 ASAs
- 26 or more ASAs
  - Cook — 631
  - DuPage — 52
  - Lake — 40

▲ **State's attorney's office with victim-witness coordinator**

** As of June 1987*

Source: Illinois Criminal Justice Information Authority survey

ing pleas, administering pretrial and trial procedures, and following through on appeals.

HOW DO PROSECUTORS SCREEN FELONY CHARGES?

After law enforcement authorities have investigated a felony offense and arrested a suspect, the first step for the state's attorney's office is to review the case for possible felony charges. Several details must be examined — the elements of the offense, available police reports, physical evidence that has been gathered, probable witness testimony, and interviews with the suspect — to determine what prosecutorial action, if any, should be taken.

Once the review process has been completed, the state's attorney may approve appropriate felony charges, reject felony charges, or request that additional investigation be done before a final decision is made. Prosecutors may reject a case for several reasons, many of which involve evidence and witness problems. These reasons include the following:

- Failure to locate key witnesses or reluctance of victims or witnesses to testify.
- Lack of physical evidence or eyewitness information linking the suspect to the crime.
- Delay in processing physical evidence that has been gathered.
- Violation of the suspect's rights, including the improper gathering of evidence.

HOW ARE CHARGES FILED?

After screening a case and deciding that it warrants further action, the state's attorney must file formal charges in court. Under Illinois law, a criminal prosecution may be initiated in one of three ways, or through a combination of the three:

1) **Indictment.** This is a written statement, presented by a grand jury to a court, which charges the commission of an offense.[7]
2) **Information.** This is a verified written statement, signed by a state's attorney and presented to a court, which charges the commission of an offense.[8]
3) **Complaint.** This is a verified written statement other than an information or indictment, presented to a court, which charges the commission of an offense.[9]

An indictment must be signed by the foreman of the grand jury; an information must be signed by the state's attorney and sworn to by the state's attorney or another person, such as the arresting officer; and a complaint must be sworn to and signed by the complainant, usually the victim or another citizen witness.[10]

Although state's attorneys have some flexibility in deciding which method to use in a particular case, there are certain statutory requirements for filing charges. For example, all felony prosecutions must be initiated by an indictment or information; all other cases may be commenced with any of the three statements.[11] It is extremely rare, however, for a misdemeanor prosecution to be initiated by an indictment. In addition, all prosecutions initiated by an information must include a preliminary hearing to establish probable cause that the suspect committed the crime.[12]

WHAT HAPPENS AFTER CHARGES ARE FILED?

After charges have been filed, the state's attorney must prepare the case, participate in pretrial procedures (including any plea negotiations), and represent the interests of the state at trial. Throughout this process, the successful administration of justice depends largely on the cooperation of crime victims and witnesses. State's attorneys have historically assumed the task of coordinating the roles of victims and witnesses in criminal cases, although the formality of their victim-witness programs varies from county to county.

To ensure that appropriate services are delivered to crime victims and witnesses, some state's attorneys in Illinois have hired special victim-witness coordinators. In recent years, prosecutors have been able to employ some of these coordinators with funds made available through two programs enacted in 1984: the federal Victims of Crime Act and the Illinois Violent Crime Victims Assistance Act. Twenty-five state's attorneys' offices in Illinois now have victim-witness coordinators on their staffs (Figure 2-1).

The Data

Although each state's attorney's office generates and maintains its own management statistics at the county level, there is no uniform, statewide system for prosecutors to compile and report certain types of data. Therefore, much of the statistical information in this chapter comes from sources such as the Administrative Office of the Illinois Courts (AOIC), the Illinois Court of Claims, and various public defense agencies. Although these sources provide some indication of how state's attorneys carry out their responsibilities, two major problems exist when the data are used to represent prosecutorial activity.

The first problem is a *lack of data* about prosecutors' workloads and the flow of cases through their offices. Because not every arrest merits prosecution, state's attorneys often use considerable resources screening cases and deciding which ones should be prosecuted. But statewide statistics about the number of cases they reject for prosecution vs. the number they accept are unavailable.

Data on the number of criminal cases filed in the state's 102 counties are contained in AOIC's annual reports to the Illinois Supreme Court (1985 is the most recent year for which these AOIC data are available). However, these statistics do not fully depict the flow of cases through the system. That is because only some cases end up going to trial, while in many others, a final disposition is reached through various pretrial procedures. Statistics documenting caseloads at these pretrial stages — arraignment, preliminary hearing, and plea negotiation — are not available on a statewide basis.

To provide some indication of what happens to cases during these pretrial events, the possible *dispositions* received by felony defendants are discussed in this chapter. In addition, trends in the number of guilty pleas and trial dispositions are analyzed. These figures, however, must be interpreted with caution. Dispositions, as reported by AOIC, relate to *defendants*, not to *case filings*. The two are not comparable since one case may have more than one defendant, or a single defendant may be involved in more than one case. Given these limitations, it is difficult to determine the exact proportion of defendants who exit the system before going to trial.

The second major data problem involves *shortcomings with the statistics that do exist*. For example, some data are reported in terms of cases, some in terms of defendants, and others in terms of charges. And even when the same measure is used, differences in counting often occur — not only between counties, but also within the same jurisdiction over time. For example, when two or more defendants are involved in a single case, some state's attorneys file a single case charging all the defendants, while others file a separate case for each suspect. Another example of counting differences occurred in Cook County, where for several years certain felony cases and an undetermined number of conservation and local ordinance violations were counted as misdemeanors. In the rest of the state, similar violations were reported under different categories.

Inconsistencies such as these not only skew statewide patterns, but also make certain comparisons problematic. For this reason, case filings in Cook County are analyzed separately from those in the remainder of the state — and the two should not be compared. Furthermore, felony and misdemeanor cases in Cook County are counted differently, so they too should not be compared.

A final note: Data presented in this chapter cover different time periods. All AOIC data relate to calendar years, while the statistics from the Court of Claims and the State Appellate Defender's Office cover state fiscal years, which run from July 1 through June 30 (for example, fiscal 1986 began July 1, 1985, and ended June 30, 1986). Data from the Cook County Public Defender's Office relate to the county's fiscal years, which run from December 1 through November 30.

Trends and Issues

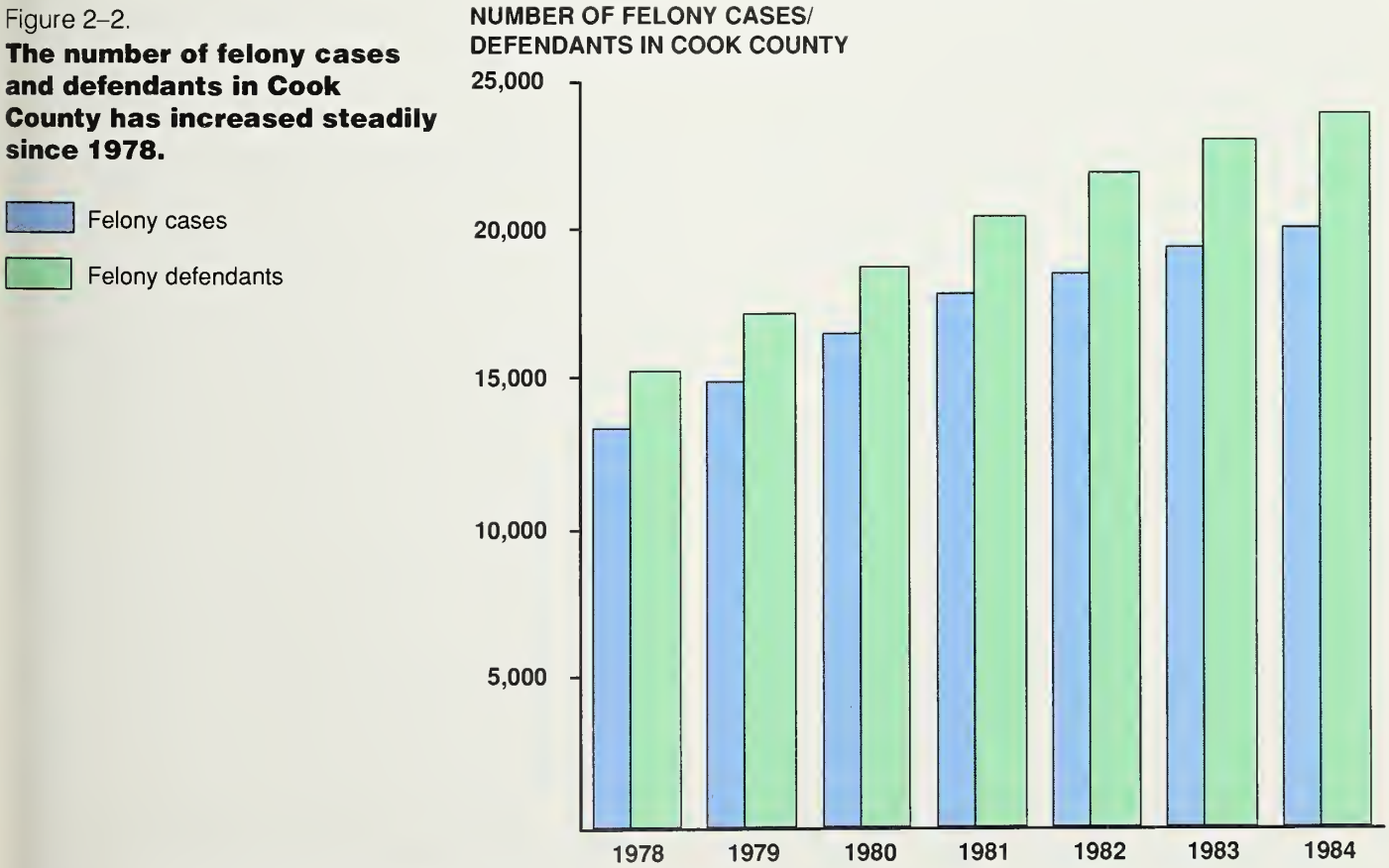
How many criminal cases — both felonies and misdemeanors — were filed in Cook County in recent years? How many cases were filed in the remainder of the state? How are criminal cases disposed of? How many felony cases are appealed to the Illinois Appellate Court? What services do crime victims and witnesses in Illinois receive? How does the state's public defense system work? The rest of this chapter explores these and other questions about the prosecution of criminal cases in Illinois.

IS THE NUMBER OF CRIMINAL PROSECUTIONS IN COOK COUNTY INCREASING OR DECREASING?

Recent statistics on the number of both felony cases and felony defendants in Cook County indicate a clear trend: felony prosecutions are on the rise. Between 1978 and 1984, the number of felony cases filed in Cook County, and the number of defendants involved in those cases, increased steadily (Figure 2-2).[13] Nearly 13,400 felony cases were filed on slightly more than 15,300 defendants in 1978. In 1984, approximately 20,100 cases were filed on more than 23,900 defendants. The number of felony case filings and felony defendants increased about 51 percent and 56 percent, respectively, during the seven-year period — or an average of about 7 percent per year.

Trends in the prosecution of misdemeanor cases in Cook County are more difficult to assess. That is because the number of misdemeanor cases in the county is artificially inflated by an unknown number of ordinance and conservation violations that were recorded as misdemeanors in some years.[14] Furthermore, misde-

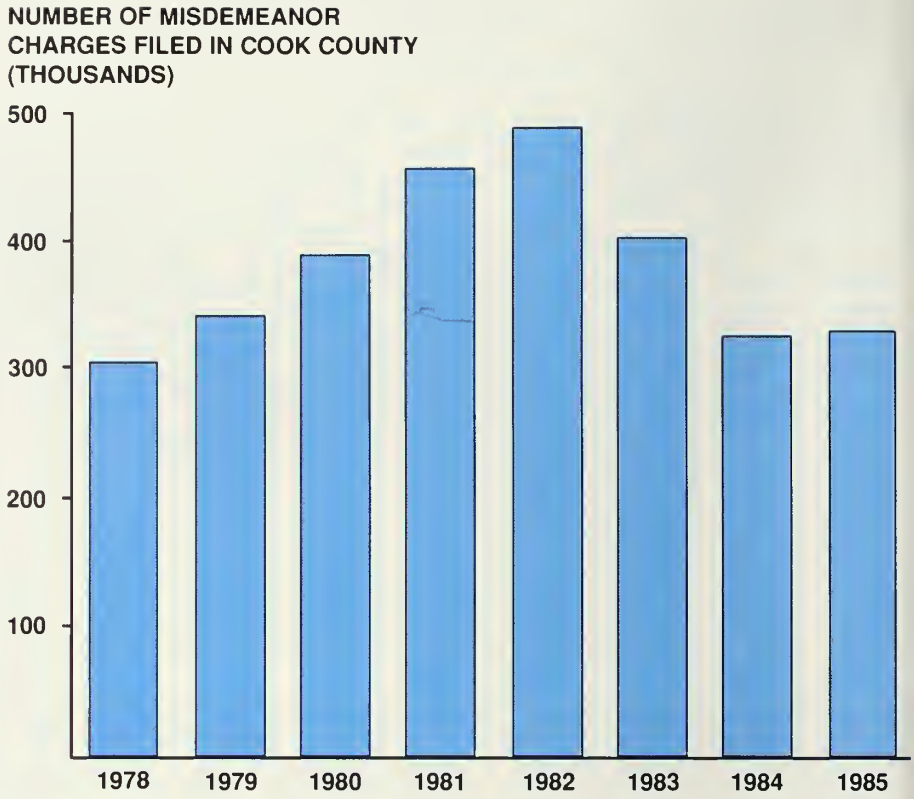
Figure 2–2.
The number of felony cases and defendants in Cook County has increased steadily since 1978.



Source: Administrative Office of the Illinois Courts

Figure 2–3.

The number of misdemeanor charges filed in Cook County has decreased since 1982.



Source: Administrative Office of the Illinois Courts

meanor cases in Cook County are reported in terms of *charges*, so the statistics cannot be compared with the number of felony cases in the county.

The number of misdemeanor charges filed in Cook County increased 59 percent between 1978 and 1982, when they peaked at more than 487,300 (Figure 2-3). The number of misdemeanor charges then declined over the next three years to nearly 330,400 in 1985.

One possible explanation for the sharp increase in misdemeanor charges filed in Cook County courts between 1979 and 1982 was the growing number of disorderly conduct arrests the Chicago Police Department made during those years. In 1979 and 1980, Chicago police made more than 267,000 disorderly conduct arrests under Section 193-1(a)-(g) of the Municipal Code of Chicago. During 1981 and 1982, this number increased to more than 380,000. Many of these arrests resulted from a police department procedure designed to combat gang crime in the city. Under this procedure, police would arrest suspected gang members on disorderly conduct charges, but the arresting officers often would not appear in court to testify regarding the complaints that were filed. The court would then "deny leave to file" (LFD) in these cases, and the suspects would be discharged.[15]

In 1983, the number of disorderly conduct arrests began to decline and, during the first six months of 1984, had fallen to about 20,000. This drop in disorderly conduct arrests seems to account for the decline in misdemeanor charges filed in Cook County after 1982.[16]

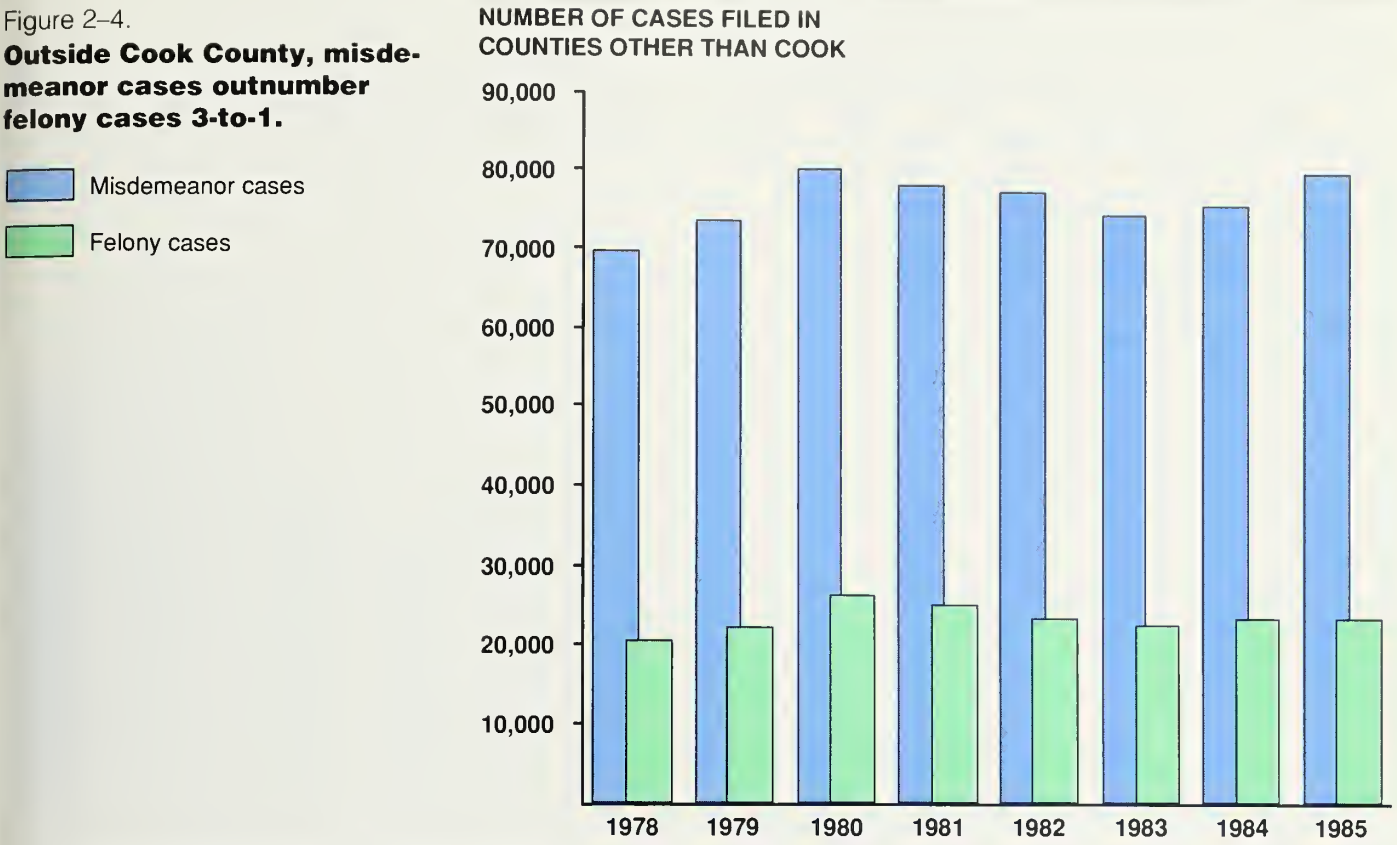
WHAT TRENDS ARE EVIDENT IN CRIMINAL PROSECUTIONS OUTSIDE COOK COUNTY?

Approximately 77 percent of the criminal cases filed in Illinois courts outside Cook County between 1978 and 1984 were for misdemeanors (Figure 2-4). During that time, the number of both felony and misdemeanor case filings followed a similar pattern. Each rose to an eight-year high in 1980, decreased steadily until 1983, and then began to increase again. Even with these fluctuations, however, the ratio of misdemeanor cases to felony cases filed outside Cook County stayed about the same — slightly more than 3-to-1.

Felony case filings in Illinois outside Cook County increased 26 percent between 1978 and 1980, when they peaked at more than 26,100. Over the next three years, the number fell 14 percent to about 22,500 in 1983. The number of felony cases filed outside Cook County increased again in 1984 and 1985, but the 1985 total of about 23,400 was still 10 percent lower than the number filed in 1980.

The number of misdemeanor cases filed outside Cook County rose from about 69,500 in 1978 to more than 80,100 in 1980, a 15 percent increase. The number

Figure 2–4.
Outside Cook County, misdemeanor cases outnumber felony cases 3-to-1.



Source: Administrative Office of the Illinois Courts

decreased 7 percent over the next three years to about 74,600; however, this decline was nearly offset in the next two years. In 1985, more than 79,800 misdemeanor cases were filed in Illinois outside Cook County.

WHAT SERVICES DO CRIME VICTIMS AND WITNESSES RECEIVE UNDER ILLINOIS LAW?

Prosecutors in Illinois have always recognized that the cooperation of crime victims and witnesses is essential to the administration of justice. In recent years, however, heightened public awareness about the needs of victims and witnesses — both inside and outside the courtroom — has prompted legislation to ensure that they are treated fairly in Illinois. The Bill of Rights for Victims and Witnesses of Violent Crime, which took effect in December 1984, was landmark legislation for victims in Illinois.[17] Under the law, state's attorneys must —

- Notify victims when any criminal proceeding in which they are involved is initiated.
- Inform victims, upon request, when the defendant has been released on bond.
- Notify victims and witnesses in advance of all court proceedings they are required to attend and of any dispositional or sentencing hearings.
- Explain to victims, in non-technical language and upon request, the details of any plea or verdict.
- Notify victims, upon request, of the ultimate disposition of their cases.
- Intercede on behalf of victims and witnesses to ensure the cooperation of their employers and to minimize any loss of pay.
- Provide, where possible, a secure waiting area for victims and witnesses during court proceedings.
- Inform the families of deceased or incapacitated victims of their rights.
- Help victims or their families prepare "victim impact statements."

Victims — or family members of deceased victims — have the option of presenting impact statements which explain how the crime affected their lives. These statements, which must be prepared in conjunction with the state's attorney's office, are presented orally before the court at the sentencing hearing.[18] In 1986, the Victim-Witness Unit of the Cook County State's Attorney's Office helped prepare approximately 100 victim impact statements. Monthly figures available for 1987 are twice those for 1986, indicating that a growing number of victims in Cook County are exercising their rights under state law.

CAN VICTIMS BE COMPENSATED FOR LOSSES THEY SUFFER?

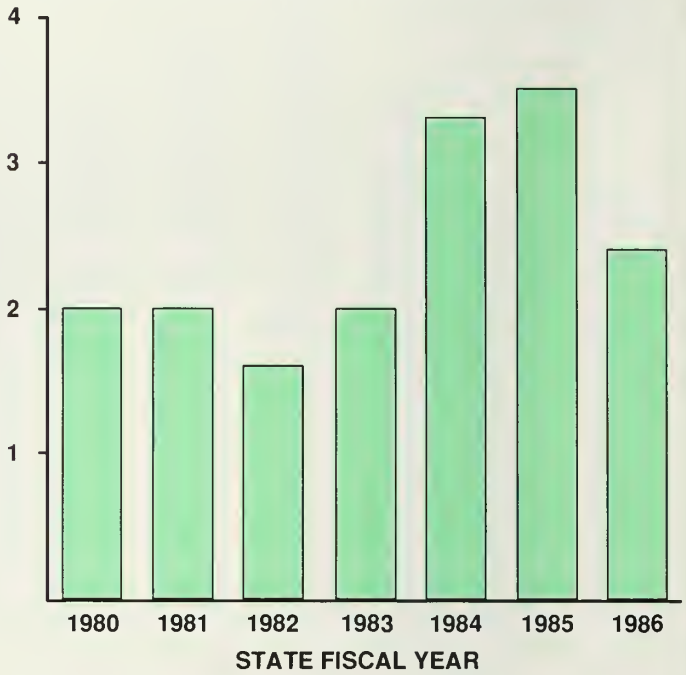
The crime victims' bill of rights also requires state's attorneys to inform victims about the social services and financial assistance available to victims and to help them apply to these programs. In Illinois, financial assistance is available to violent crime victims and their families through the 1973 Crime Victims Compensation Act. For years, compensation awards were supported solely by general revenue funds appropriated by the Illinois General Assembly. Since the federal Victims of Crime Act was enacted in 1984, the Illinois program has been supplemented with federal money as well.

Between state fiscal years 1980 and 1986, nearly $16.8 million was awarded to 5,251 violent crime victims in Illinois (Figure 2-5). Approximately 40 percent of the total was given out during fiscal 1984 and 1985, when the yearly awards topped $3 million. The annual amounts awarded in the four previous years never reached $2 million. In fiscal 1986, more than $2.4 million was given out.

Of the nearly 8,100 compensation claims that were processed between fiscal 1980 and 1986, an average of almost two-thirds of them resulted in awards to victims (Figure 2-6). The average award granted during this seven-year period was approximately

Figure 2-5.

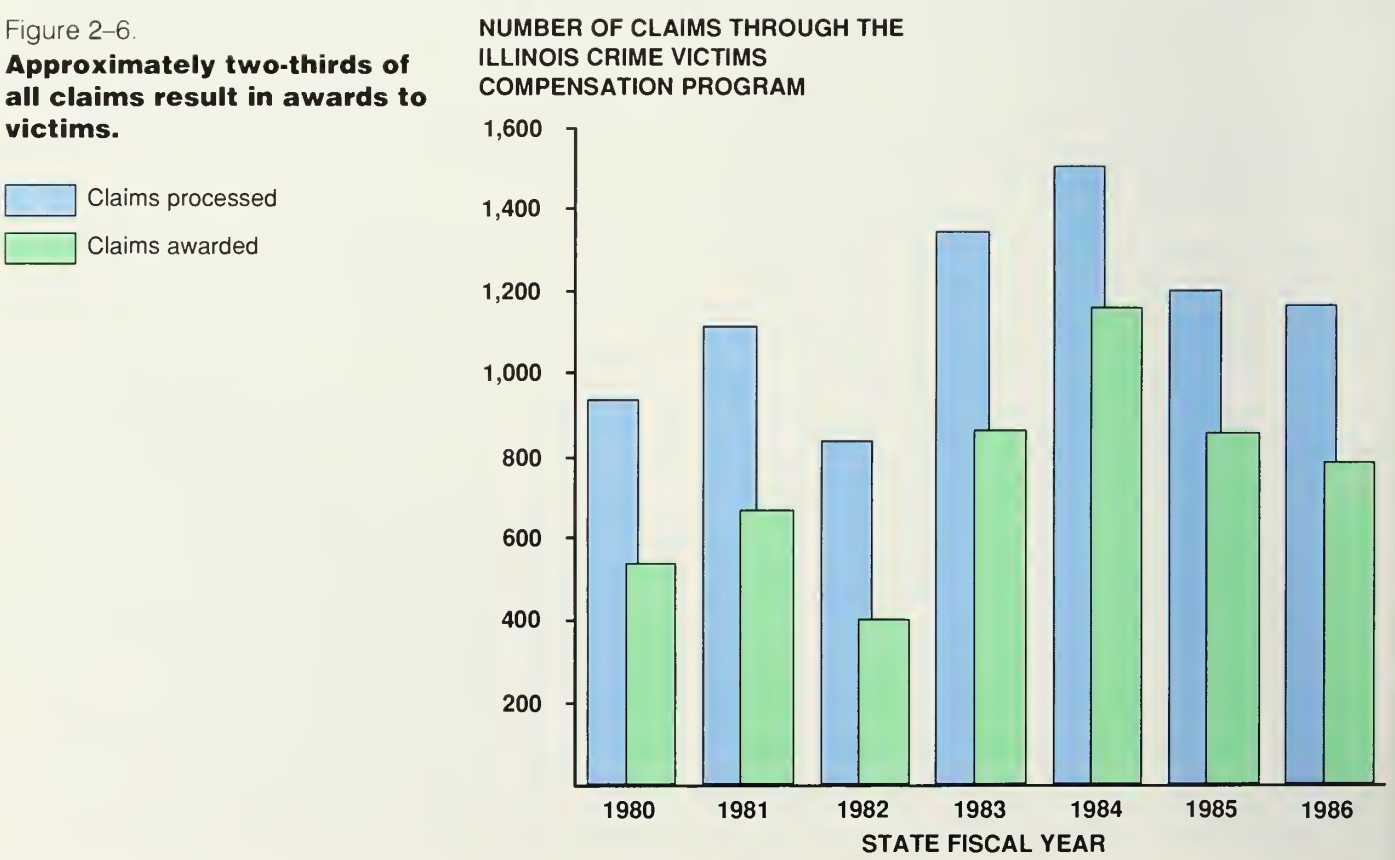
Since 1980, nearly $16.8 million has been awarded to crime victims in Illinois.



Source: Illinois Court of Claims

Figure 2–6.

Approximately two-thirds of all claims result in awards to victims.



Source: Illinois Court of Claims

$3,250.[19] In fiscal 1985, the average award reached a seven-year high of nearly $4,100.

To receive compensation, a victim must file a claim with the Illinois Attorney General's Office. The victim need not be an Illinois resident, but the crime must have occurred in the state. In addition, the victim must report the crime to police within 72 hours and must cooperate with authorities in apprehending and prosecuting the offender. Even if the offender is not apprehended or convicted, the victim may still be eligible for compensation.

The Attorney General's Office investigates each claim and recommends whether it should be awarded, denied, or dismissed. The Illinois Court of Claims then makes a final decision in each case and disburses all awards. Claims can be denied for several reasons: for example, if the victim fails to report the crime within 72 hours, if the victim provokes the crime or engages in illegal conduct at the time of the crime, or if the loss is not eligible for compensation (for instance, if it is covered by insurance or public aid).

Up to $25,000 may be awarded for each claim to cover expenses incurred as a direct result of the crime — medical costs, counseling, loss of earnings, tuition reimbursement, funeral and burial services, and loss of support for dependents of a deceased victim. The program does not compensate for loss or damage of personal property.

HOW ARE CRIMINAL CASES DISPOSED OF?

Earlier in this chapter, case *filings* were analyzed. Case filings provide one indicator of the workload of state's attorneys in Illinois. But of all cases that are filed in the state, only a fraction end up going to trial, while most cases are disposed of during various pretrial stages. To gain a more complete picture of prosecutorial activity, the number and types of case *dispositions* must be analyzed as well.[20] By studying dispositions, the stages in the adjudication process at which prosecutorial action is terminated should become apparent.

Analyzing dispositions in this context, however, is difficult to do in Illinois. Since no mechanism exists to collect aggregate data from prosecutors on a statewide basis, we are limited to examining existing data on dispositions reported by the Administrative Office of the Illinois Courts (AOIC). Although these data provide valuable information for court managers, there are several reasons to be cautious when using the data for other purposes.

First, AOIC reports dispositions in terms of *defendants*, not cases. Consequently, the number of case filings and the number of defendant dispositions cannot be compared, since more than one defendant may be involved in a single case. Second, three types of dispositions reported by AOIC — final, interim, and administrative[21] — are all included in aggregate disposition totals. This reporting system makes analysis of the stages at which prosecutorial action is actually terminated very difficult. Finally, incompatible counting procedures between Cook County and the rest of the state hinder this type of data interpretation.[22]

Given these data limitations, it is impossible to present in this report a comprehensive analysis of defendant dispositions. However, dispositions that result from guilty pleas and from trials can be examined.

Although state's attorneys are usually associated with trial work (which is generally a resource-intensive task), available data indicate that most of the felony cases handled by prosecutors in Illinois are disposed of by other means. Cases can be disposed of in a variety of ways, including the following:

- **No probable cause at preliminary hearing/"no true bill" returned.** In felony cases, probable cause — reasonable grounds to believe that a particular person has committed a specific crime — is established either by the court at the preliminary hearing or by a grand jury prior to the initiation of trial proceedings. Thus, if no probable cause is found, the defendant is removed from the system at a relatively early stage. In misdemeanor cases, no separate hearing is held to determine probable cause. In instances where the prosecutor attempts to obtain an indictment, a grand jury may reject prosecution of the case by returning a "no true bill" on all charges against a defendant.
- **State motion to dismiss.** Dispositions resulting from a motion by the state to dismiss charges can occur under a variety of circumstances and can be final, interim, or administrative in nature. Two common types of state motions to dismiss are the *nolle prosequi* and the *SOL*.

  The nolle prosequi is a formal entry on the court record that indicates the prosecutor will not pursue the action against the defendant. In felony cases, it can be used any time between the filing of the case and the judgment, although it often occurs during the preliminary hearing stage. The prosecutor may move to dismiss a case if the state lacks evidence or eyewitness testimony to link the defendant to the crime, or if the complainant or other key witnesses decline to cooperate in prosecuting the defendant. The nolle prosequi can also be used administratively. For example, it is often used to administratively close a case that was originally initiated by an information but is later consolidated into a multiple-defendant indictment. The SOL dismissal (stricken off the

record with leave to reinstate), which is used in some jurisdictions, allows the prosecutor to resume criminal proceedings in a case at a later date.

- **Defendant motion to dismiss.** In very rare circumstances, the court may dispose of a case by granting a motion of the defense. For example, the court may dispose of a case after granting a defense motion to suppress, if certain evidence was obtained in violation of the defendant's rights, or after granting a defense motion to quash, if there is a technical defect in the charging document. Other types of dispositions that result from defense motions include a motion to transfer, in which a defendant who has another case pending in another county successfully moves to have the current case transferred to that county, and a motion to place the defendant under supervision for treatment of drug addiction. If the court grants this latter type of defense motion, adjudication of the defendant is suspended, conditional on the defendant's successful completion of the drug treatment program.

- **Transfer to warrant calendar.** Some judicial circuits in Illinois have created warrant calendars to eliminate from their active court calendars those cases in which defendants have forfeited bond or fugitive warrants have lapsed after a specified period of time. Such cases may be reinstated if the defendant is subsequently arrested on the warrant.

  Illinois is one of only a few states that actively prosecutes bail violations and imposes stiff penalties upon conviction. In 1984, the Cook County State's Attorney's Office alone initiated 426 indictments for bail violations. Under state law, any defendant who fails to appear in court may be prosecuted not only for the original charge but also for the next lower class of felony or misdemeanor related to the original charge.[23] In addition, any sentence for bail violations must be served consecutively to the sentence for the original charge.

- **Guilty plea.** Available data indicate that of all the types of defendant dispositions, those resulting from guilty pleas are the most common. Once probable cause has been established, the defendant is required to enter a plea — either guilty or not guilty — to the charges.[24] This action usually occurs at arraignment or whenever the court accepts the defendant's plea.[25] Each defendant has the constitutional right to a trial by a jury of peers, yet more defendants enter guilty pleas than exercise the right to a jury trial (or the other option of a bench trial). After pleading guilty, the defendant bypasses trial proceedings and is sentenced.

  Although the decision to plead guilty is ultimately that of the defendant, several factors influence the guilty-plea process. These include the severity of the charge and possible sentence, the quantity and quality of evidence linking the defendant to the crime, whether there are arguable issues of fact in the case, and the terms of any guilty-plea negotiation.

  Summary data about whether guilty pleas usually involve reduced charges are unavailable in Illinois. However, a study of almost 7,500 felony cases that were disposed of in 1979 and 1980 in nine counties in three states (including approximately 3,000 cases in DuPage, Peoria, and St. Clair counties) reveals that the primary, or most serious, charge was reduced during the guilty-plea process in an average of only 15 percent of the cases studied.[26] Furthermore, this percentage was not much greater than the percentage of cases in which the primary charge was reduced at trial — an average of about 11 percent.

  More than 23,800 felony defendants in Illinois entered guilty pleas in 1985. Until 1985, when the gap between Cook County and the remainder of the state narrowed, Cook County accounted for a considerable majority of guilty-plea dispositions in Illinois (Figure 2-7). In the remainder of the state, the number of guilty pleas increased 53 percent between 1976 and 1985. In Cook County, the increase was even sharper — 59 percent — between 1976 and 1983, although the number of guilty pleas then decreased 18 percent over the next two years.

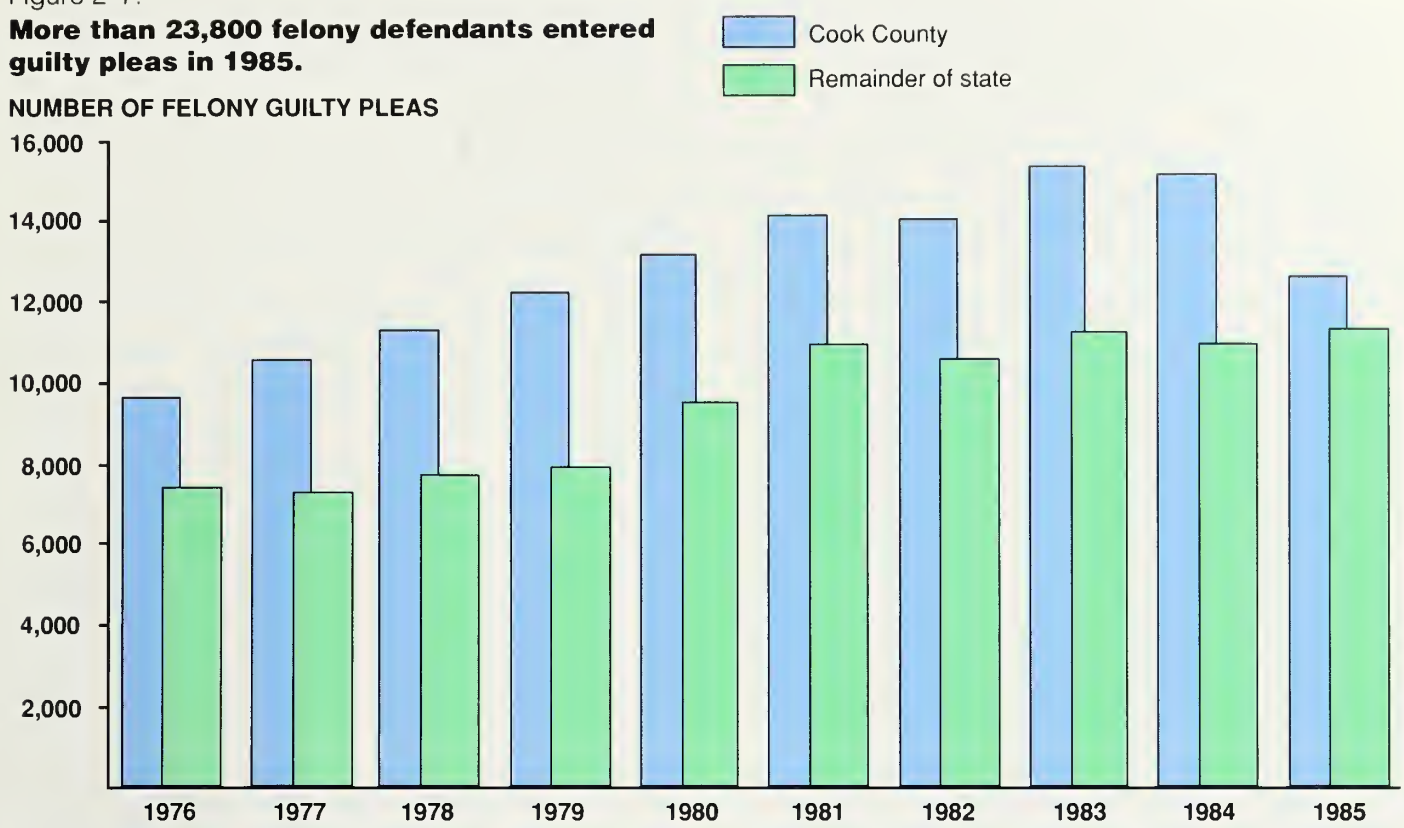
- **Trial.** Since most criminal cases are disposed of during pretrial stages, relatively few defendants plead not guilty and then go to trial. Trends in the number of trial dispositions are largely driven by the decisions of defendants. Nevertheless, state's attorneys, through their willingness to negotiate the conditions of defendants' pleas, can affect these trends as well.

  In 1985, there were 6,197 felony trial dispositions in Illinois, with more than 75 percent of them occurring in Cook County (Figure 2-8). In fact, the statewide increase in trial dispositions since 1976 was driven by dramatic increases in Cook County. The number of felony trial dispositions in Cook County rose from 1,455 in 1976 to 5,322 in 1984, a 266 percent increase; trial dispositions decreased 11 percent in 1985. In the remainder of the state, the number of felony trial dispositions fluctuated throughout this period. They increased 47 percent between 1976 and 1982, and then declined 20 percent over the next three years.

  Although trial dispositions account for a smaller proportion of all dispositions than do guilty pleas, the ratio of guilty pleas to trial dispositions has narrowed considerably in recent years in Cook County. In

Figure 2–7.

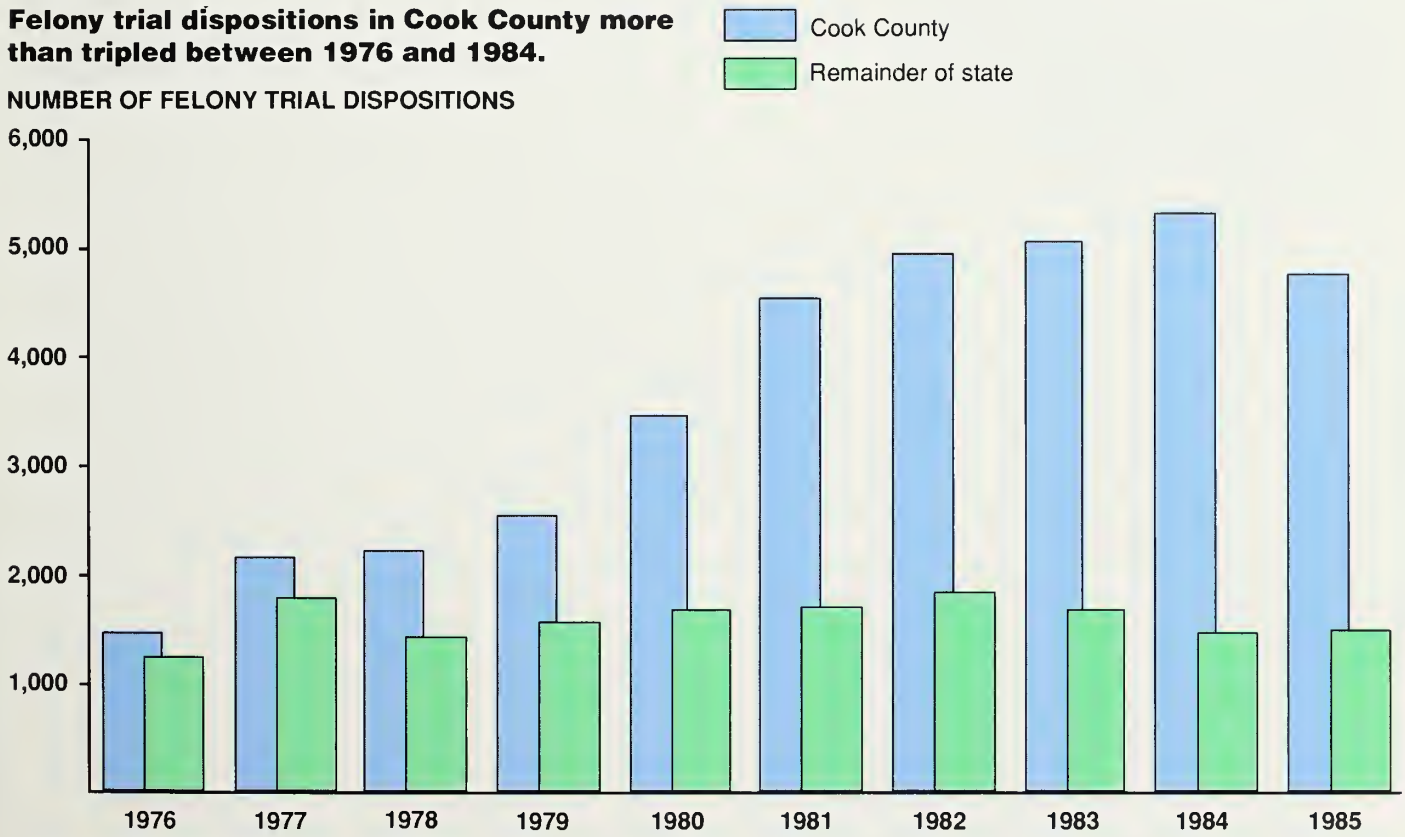
More than 23,800 felony defendants entered guilty pleas in 1985.



Source: Administrative Office of the Illinois Courts

Figure 2–8.

Felony trial dispositions in Cook County more than tripled between 1976 and 1984.



Source: Administrative Office of the Illinois Courts

1976, the ratio was about seven guilty pleas for each trial disposition, but in 1985 it was approximately 3-to-1. In the remainder of the state, the ratio of guilty pleas to trial dispositions was about 6-to-1 in 1976 and about 8-to-1 in 1985.

HOW MANY CRIMINAL APPEALS ARE FILED IN ILLINOIS?

The Illinois Appellate Court is the first court of appeal for cases adjudicated in the trial courts, except for cases involving the death penalty. Every defendant who is found guilty has the right to appeal. If a defendant enters a guilty plea, that plea must be withdrawn within 30 days of sentencing before the defendant may appeal. The state may also appeal under certain circumstances.[27]

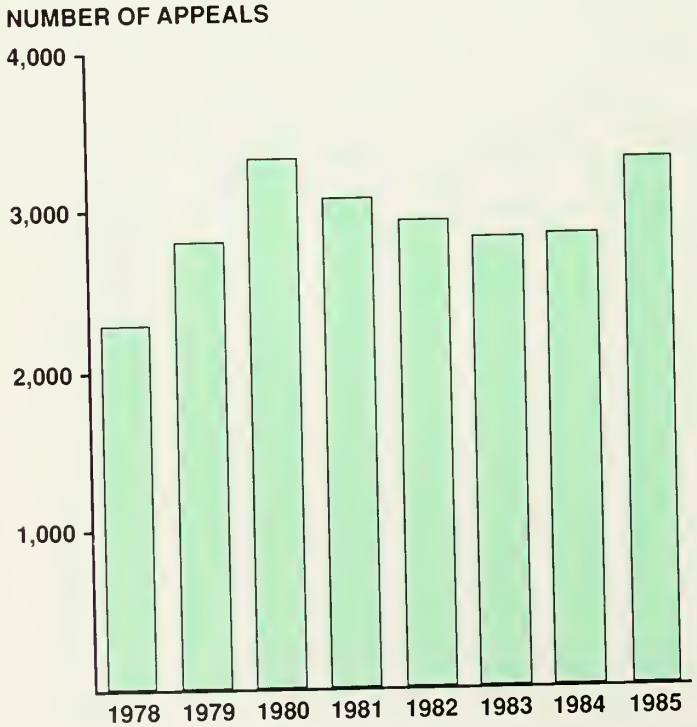
From 1978 to 1985, the number of criminal appeals filed in the Illinois Appellate Court increased 45 percent, from 2,276 to 3,303 (Figure 2-9). There was a sharp 46 percent increase between 1978 and 1980, which was followed by a steady decline through 1983. The number of criminal appeals increased slightly in 1984 and more dramatically in 1985, when the total nearly matched the 1980 figure of 3,327.

Criminal appeals in which a federal or state statute has been held invalid, and appeals by defendants who have been sentenced to death by the Circuit Court, bypass the Appellate Court and are taken directly to the Illinois Supreme Court.[28] In addition, the Supreme Court may choose to hear appeals of any Appellate Court decision that affirms a lower court ruling.

AOIC's annual reports do not contain specific information about the number of criminal appeals that reach the Illinois Supreme Court. However, data regarding automatic Supreme Court appeals in death penalty cases show that between 1978 and 1985, the number of such cases heard by the Court ranged from a low of three in 1978 to a high of 21 in 1983. In 1985, 20 death penalty appeals were filed in the Illinois Supreme Court.

Figure 2-9.

More than 3,300 criminal appeals were filed in the Illinois Appellate Court in 1985.



Source: Administrative Office of the Illinois Courts

HOW IS PUBLIC DEFENSE ORGANIZED IN ILLINOIS?

As a counterpart to the prosecution, the defense of those accused of committing crimes is an essential part of the criminal justice system. Just as prosecutors seek justice on behalf of the people of the state, defense attorneys do so on behalf of the accused. Defense attorneys serve as advocates for defendants throughout the criminal justice process.

The Sixth Amendment to the U.S. Constitution guarantees people accused of crimes the right to be assisted by counsel. Through a series of decisions over many years, the U.S. Supreme Court has expanded the scope of the right to defense. Today, it applies not only to actual trials, but also to all critical stages of the criminal justice process, including interrogation by police, preliminary hearings, arraignments, and various post-trial procedures. Under Illinois law, anyone detained for any cause, whether or not the person is charged with an offense, has the right to consult with an attorney in private at the place of custody for a reasonable number of times, except in cases where there is imminent danger of escape.[29]

In *Gideon v. Wainwright* (1963) and *Argersinger v. Hamlin* (1972), the U.S. Supreme Court held that the right to counsel applies to *anyone* accused of a crime for which a sentence of imprisonment may be imposed. These decisions mean that the right to an attorney cannot be denied because the defendant is unable to pay for legal counsel. For both felonies and misdemeanors that can result in imprisonment, the state must provide an attorney to indigent defendants.

In Illinois, indigent defendants are assigned defense attorneys by the courts.[30] In most counties, the court assigns these cases to a public defender. Currently, 93 of the state's 102 counties have a public defender,[31] who is appointed by the judiciary of the county and serves at its pleasure.[32] In the state's other nine counties, the courts assign the defense of indigents to private attorneys on a case-by-case basis (Figure 2-10).

Like state's attorneys' offices, each public defender's office varies in size and complexity. The organization and staffing of individual offices also generally reflect their workloads and the resources available in their counties. Statewide, there are approximately 575 assistant public defenders.

The constitutional obligation of the state to provide defense services to indigents extends to appeals as well. To effectively meet this obligation, the Illinois General Assembly in 1972 created the Office of the State Appellate Defender.[33] The principal function of this state agency is to represent indigent persons on appeal in criminal cases when appointed by the courts. In addition, the office provides investigative and educational services to public defenders in Illinois.

Under the direction of the state appellate defender, who is appointed to a four-year term by the Illinois Supreme Court, the office employs about 75 attorneys, plus support personnel. The agency provides services through five offices located in each of the state's Appellate Court districts.[34] In addition, the agency maintains an Illinois Supreme Court Unit, which is primarily responsible for death penalty appeals.

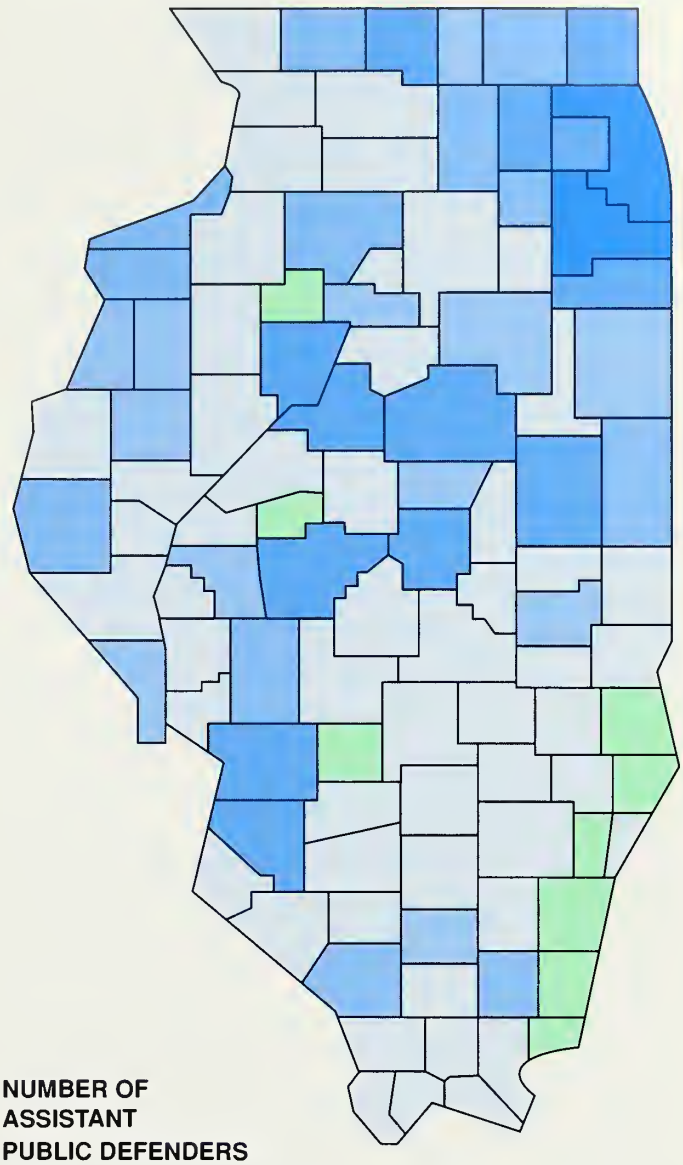
WHAT IS THE WORKLOAD OF PUBLIC DEFENDERS IN ILLINOIS?

Although each public defender's office in Illinois generates and maintains its own management statistics, there is no uniform, statewide system for public defenders to compile and report certain types of data. For this reason, aggregate statistics on the number of cases handled by public defenders in Illinois are unavailable. However, data from Cook County and from the State Appellate Defender's Office were analyzed.

Excluding appeals, the Cook County Public Defender's Office was appointed to represent more than 162,100 defendants in county fiscal year 1986, an increase of 21 percent over the fiscal 1985 figure of nearly 134,500.[35] The Appellate Division of the Cook County Public Defender's Office was appointed 957 cases in fiscal 1985 and 1,059 in fiscal 1986, an increase of 11 percent.

The Office of the State Appellate Defender represents virtually all indigent defendants pursuing appeals from counties other than Cook and a significant percentage of those from Cook County as well.[36] During state fiscal year 1985, the office was appointed 1,309 cases; in fiscal 1986, that figure increased nearly 15 percent to 1,501.[37]

Figure 2–10.
Ninety-three counties in Illinois have a public defender's office.



Source: Illinois Public Defender Association Directory of Public Defenders (November 1, 1986) and Illinois Criminal Justice Information Authority survey

Notes

[1] Criminal violations of *federal* law are prosecuted by U.S. attorneys in federal courts.

[2] Although the Illinois attorney general's duties include criminal matters, the office is primarily involved with civil law.

[3] By statute, the Office of the State's Attorneys Appellate Prosecutor may represent the people of Illinois on appeals in criminal cases, juvenile cases, paternity cases, cases arising under the Mental Health and Developmental Disabilities Code, and cases arising under the Narcotics Profit Forfeiture Act, provided that the case emanates from a judicial (appellate) district of less than 3 million inhabitants and that the state's attorney otherwise responsible for prosecuting the appeal requests such assistance (Ill.Rev.Stat.1985, ch. 14, par. 204.01). The Cook County State's Attorney's Office has its own Criminal Appeals Division, which serves the 1st Appellate District.

[4] The 10-member governing board includes the Cook County state's attorney, who is a permanent member; two state's attorneys from each of the four judicial (appellate) districts with less than 3 million inhabitants, who are elected annually by the state's attorneys of their respective districts; and one state's attorney appointed each year by the board's nine other members (Ill.Rev.Stat. 1985, ch. 14, par. 203).

[5] Keep in mind that state's attorneys and their staffs are not concerned exclusively with criminal matters; their responsibilities include civil cases as well.

[6] The following counties also employ part-time assistant state's attorneys: Adams, Bureau, Clark, Clinton, Coles, Cook, Edgar, Fayette, Franklin, Fulton, Jersey, Johnson, Kane, Kendall, Livingston, Macoupin, Madison, Marshall, Mercer, Perry, Randolph, Saline, Sangamon, Stark, St. Clair, Union, White, and Woodford.

[7] Ill.Rev.Stat.1985, ch. 38, par. 102-11.

[8] Ill.Rev.Stat.1985, ch. 38, par. 102-12.

[9] Ill.Rev.Stat.1985, ch. 38, par. 102-9.

[10] Ill.Rev.Stat.1985, ch. 38, par. 111-3(b).

[11] Ill.Rev.Stat.1985, ch. 38, par. 111-2.

[12] A defendant can waive the right to a preliminary hearing, in which case criminal proceedings will commence as if probable cause had been found.

[13] These figures include only those prosecutions that resulted from findings of probable cause or from direct indictments.

[14] In addition to including an undetermined number of ordinance and conservation violations in the misdemeanor case filings category for Cook County, AOIC prior to 1982 included felony preliminary hearings in this category as well. For this report, however, AOIC data were adjusted so that felony preliminary hearings were not included in the statistics for misdemeanor cases filed.

[15] This procedure occurred in the Circuit Court of Cook County Municipal Department, 1st District, until December 1984, when the acting presiding judge entered an order prohibiting the use of the LFD as a way of disposing of criminal and quasi-criminal cases.

[16] In 1983, the American Civil Liberties Union filed a class action lawsuit challenging the Chicago Police Department's procedure on several grounds. The resulting modifications by the police department may account, at least in part, for the general decline in misdemeanor charges filed in Cook County courts after 1983.

[17] Ill.Rev.Stat.1985, ch. 38, par. 1401 et. seq.

[18] In June 1987, the U.S. Supreme Court ruled in *Booth v. Maryland* that the Constitution bars the use of victim impact statements at sentencing hearings in which the death penalty is a possible sentence. Citing the Eighth Amendment's ban on cruel and unusual punishment, the Court held that victim impact information was ordinarily "irrelevant to a capital sentencing decision." Such decisions should turn on the defendant's moral "blameworthiness," and should be "based on reason rather than caprice or emotion."

[19] These figures are approximations since the number of claims awarded and the dollars paid out in a given fiscal year do not necessarily correspond. Because of a mandatory 30-day waiting period between the date of an award and the release of the associated check, an award made in one fiscal year may not be paid out until the next fiscal year.

[20] Dispositions are the prosecutorial or judicial actions

that either terminate or place "on hold" the criminal proceedings against a defendant.

[21] Interim dispositions are dispositions that are preliminary to the final disposition of a defendant's case. For example, an interim disposition occurs when a defendant fails to appear in court, a bond forfeiture warrant is issued, and the defendant's case is transferred to a warrant calendar. From the court's perspective, transferring the case to a warrant calendar is a court disposition, since the case is no longer active. However, if the defendant is subsequently arrested on the warrant, the original case is reinstated and criminal proceedings continue. An example of an administrative disposition is when a state's attorney decides to consolidate several cases, each with one defendant, into a single, multiple-defendant case. The individual cases are administratively dismissed for recordkeeping purposes, even though the defendants have not received their final dispositions on the criminal matter.

[22] In Cook County, dispositions at preliminary hearings are counted by *charges* rather than by *defendants*. All other dispositions are based on defendants.

[23] Ill.Rev.Stat.1985, ch. 38, par. 32-10.

[24] Defendants may also plead guilty but mentally ill. However, the court cannot accept this type of plea until the defendant has been examined by a clinical psychologist or psychiatrist and the judge has examined the results of the examination, has held a hearing on the issue of the defendant's mental condition, and is satisfied that there is a factual basis that the defendant was mentally ill at the time of the offense for which the plea is entered. In addition, defendants charged with violating the Illinois Income Tax Act (Ill.Rev.Stat.1985, ch. 120, par. 1-101, et. seq.) may plead guilty, not guilty, or (with the consent of the court) nolo contendere. A defendant who enters a plea of nolo contendere does not contest the charge, but neither admits guilt nor claims innocence. A plea of nolo contendere can still be followed by a judgment of conviction without a trial or verdict and by a sentencing disposition.

[25] Procedures for entering pleas vary among jurisdictions, and actions constituting an arraignment may occur at other court appearances after arrest and prior to trial. However, a defendant's plea becomes official only at arraignment.

[26] Peter F. Nardulli and Roy B. Fleming, *Pleas without Bargaining: Guilty Pleas in the Felony Courts of Illinois, Michigan, and Pennsylvania* (Urbana, Ill.: Institute of Government and Public Affairs, University of Illinois, 1985).

[27] Ill.Rev.Stat.1985, ch. 110A, par. 604-605.

[28] Ill.Rev.Stat.1985, ch. 110A, par. 603.

[29] Ill.Rev.Stat.1985, ch. 38, par. 103-4.

[30] Ill.Rev.Stat.1985, ch. 38, par. 113-3(b).

[31] Illinois counties with 35,000 or more inhabitants are required to have a public defender's office; counties with less than 35,000 people are not required to create this office, but may do so if approved by the county board. Any two or more adjoining counties within the same judicial circuit may, by joint resolution of their county boards, create a common public defender's office. (Ill.Rev.Stat.1985, ch. 34, par. 5601 et. seq.)

[32] Ill.Rev.Stat.1985, ch. 34, par. 5602.

[33] Ill.Rev.Stat.1985, ch. 38, par. 208.

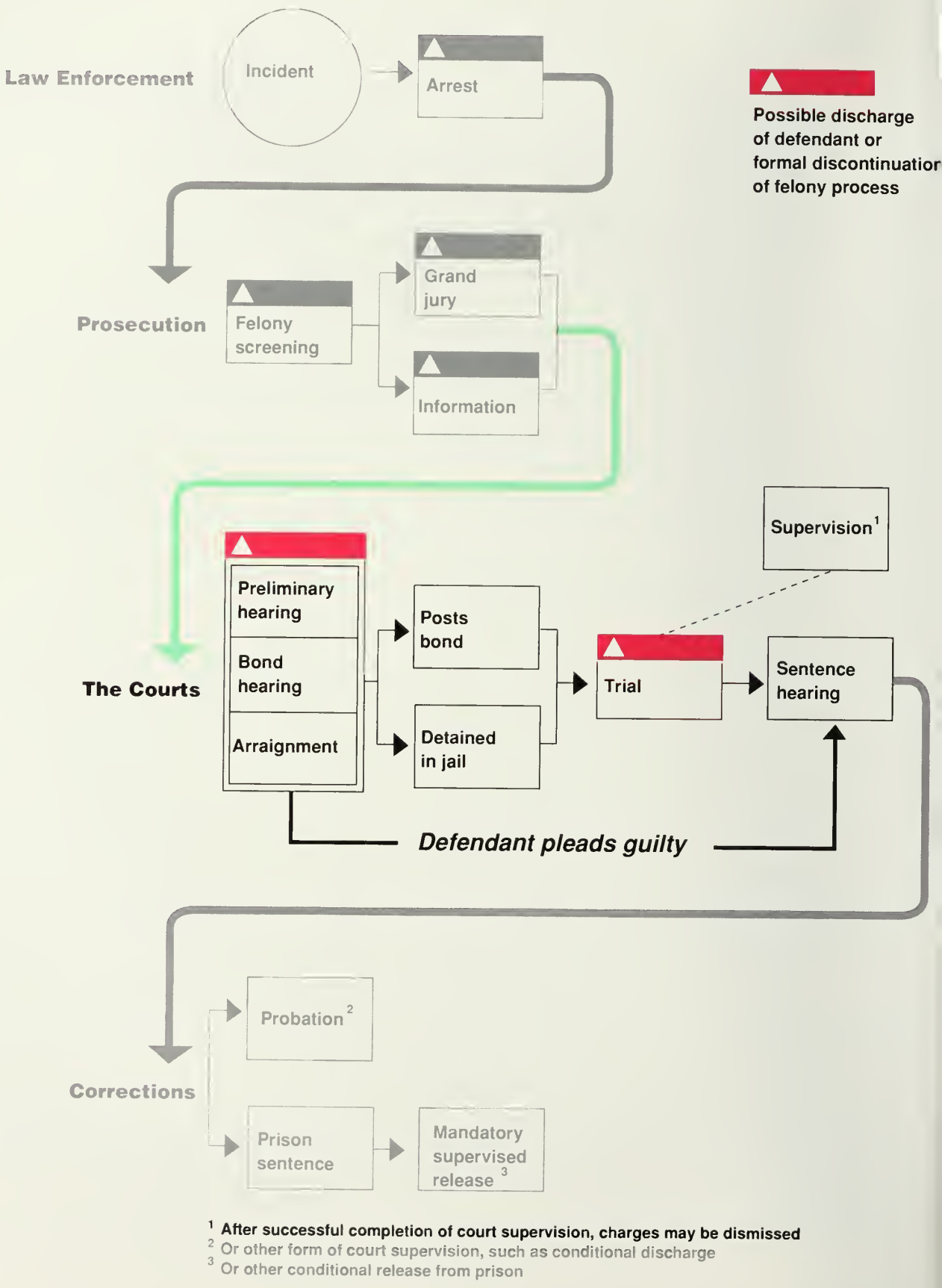
[34] By statute, the state appellate defender must operate an office in each of the state's five judicial (appellate) districts (Ill.Rev.Stat.1985, ch. 38, par. 208-9(a)).

[35] Cook County fiscal years run from December 1 through November 30 (for example, fiscal 1986 began December 1, 1985, and ended November 30, 1986). These figures do not include cases handled by the Appellate Division of the Cook County Public Defender's Office. However, the figures do include cases handled by the office's Multiple Defendants Unit, which was created in 1984 to alleviate conflict-of-interest problems arising when more than one defendant was represented on a related matter.

[36] *Description and History of the Office of the State Appellate Defender* (Springfield, Ill.: Office of the State Appellate Defender, 1985).

[37] *Office of the State Appellate Defender Annual Report*, fiscal year 1986. Illinois fiscal years run from July 1 through June 30 (for example, fiscal 1986 began July 1, 1985, and ended June 30, 1986).

An Overview of Felony Processing in Illinois



[1] After successful completion of court supervision, charges may be dismissed
[2] Or other form of court supervision, such as conditional discharge
[3] Or other conditional release from prison

THE COURTS

Overview

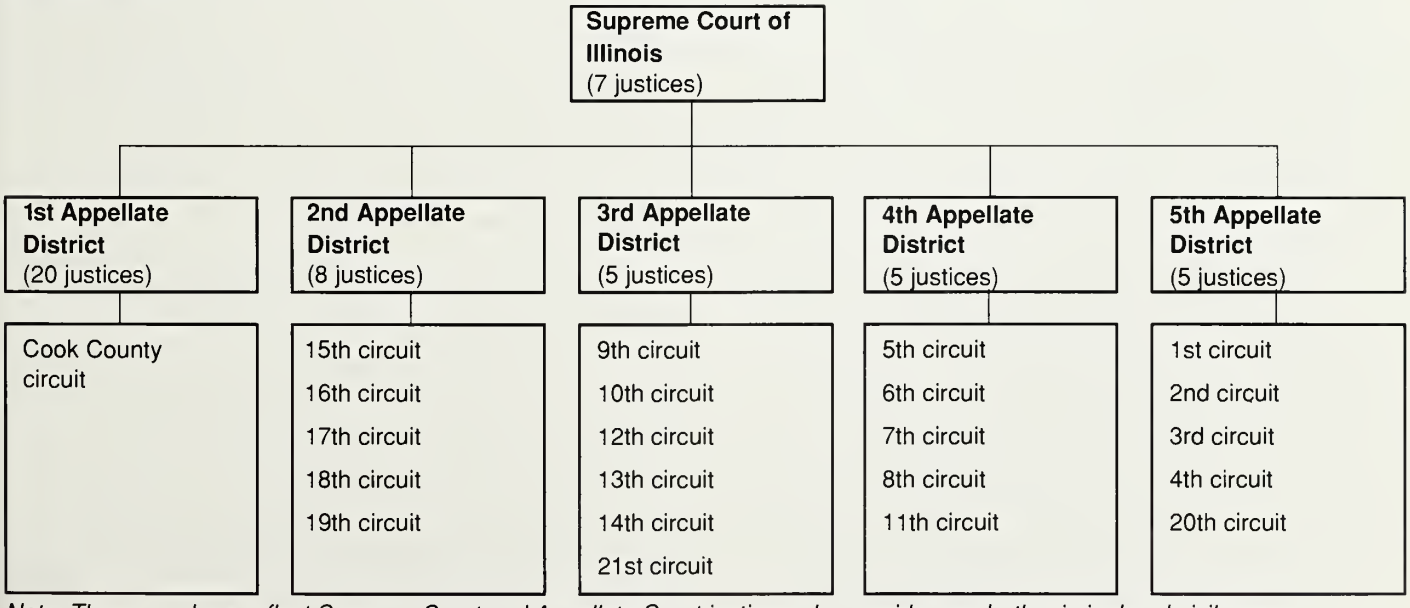
After a state's attorney analyzes the arrest information provided by law enforcement officials and files appropriate charges against the defendant, the state's attorney, the defense attorney, and the courts each perform a pivotal function as the case progresses. While the prosecution and defense operate as adversaries, the goal of the criminal courts is to weigh the facts of each case, to consider the arguments presented by the state's attorney and the defense, and to determine an appropriate verdict and sentence.

In practice, the courts' function entails making a series of decisions: Should the defendant be granted bond? What bond conditions and amounts should be set? Is there probable cause to believe the suspect committed the crime? Is the evidence sufficient to support a finding of guilt beyond a reasonable doubt? If so, what is the appropriate sentence? This chapter explores trends and issues in how the criminal courts in Illinois carry out this mission.

HOW ARE THE COURTS ORGANIZED IN ILLINOIS?

Criminal courts in Illinois are organized in a three-tiered structure (Figure 3-1). The vast majority of felony and misdemeanor cases are heard and resolved in the trial, or circuit, courts, the lowest tier in the system. The Appellate Court and the Illinois Supreme Court, the system's other two tiers, serve as courts of appeal.

Figure 3–1.
Criminal courts in Illinois are organized into three tiers.



Note: These numbers reflect Supreme Court and Appellate Court justices who preside over both criminal and civil cases.

Trial courts, which are located in each of the state's 102 counties, are organized into 22 judicial circuits (Figure 3-2). In three of Illinois' most populous counties — Cook, DuPage, and Will — the county represents a single judicial circuit. Within each circuit, there are actually two types of trial courts. Lower-level trial courts are primarily responsible for processing misdemeanor cases — all the way from initial court hearings through trial and sentencing. Bond and preliminary hearings for felony cases may also be conducted in these courts. Higher-level criminal courts, on the other hand, generally conduct felony trials.[1]

As a rule, each felony trial court is presided over by a full circuit judge, who is elected to a six-year term by the voters in that judicial circuit. The judges in each circuit then select from within their ranks a chief judge who has certain administrative powers for the circuit, including the right to appoint associate judges. Associate judges are usually limited to duties within the lower-level trial courts. In January 1987, there were 380 circuit judges and 366 associate judges in Illinois. Approximately 46 percent of the state's circuit and associate judges serve in the Cook County Circuit Court, which is the largest judicial circuit in Illinois and one of the largest court systems in the country.

In practice, the distinction between higher- and lower-level trial courts depends on the size and complexity of the circuit. In circuits that hear relatively few criminal cases, all proceedings may take place in a single court where both circuit and associate judges preside over their respective functions. In Cook County, on the other hand, court functions and facilities are more strictly defined.[2]

The Cook County circuit contains six geographical districts. Each district has at least one higher-level trial court and several municipal, or lower-level, courts. In the 1st Municipal District, which encompasses the city of Chicago, specialized preliminary hearing courts have been established. Each of these courts concentrates on cases involving particular offenses, such as homicide, auto theft, or sexual assault. In addition, the 1st District has set up a preliminary hearing court that deals exclusively with repeat offenders.

The Illinois Appellate Court is the first court of appeal for all felony cases except those involving the death penalty; death penalty cases are automatically appealed to the Illinois Supreme Court. Either the defense or the prosecution may appeal the trial court's decision. The appealing party must show cause, and the grounds for appeal must be specific. For example, the defense may argue that there was a mistrial because unconstitutionally obtained evidence was admitted.

The Appellate Court can deny the petition for appeal outright. If the court decides the appeal has merit, it can affirm, reverse, or modify the original decision, or it can remand the case to the lower court for reconsideration. In the latter instance, for example, the Appellate Court may order a new trial, but specify that a piece of evidence that had been previously introduced be held inadmissible in the new trial.

As of January 1987, 43 justices were assigned to the Illinois Appellate Court. Twenty of these justices sit in the 1st Appellate District (which covers Cook County), eight justices sit in the 2nd Appellate District, and five justices sit in each of the three remaining districts. Except for the 1st District, each appellate district includes either five or six judicial circuits (Figure 3-2).

Under certain limited circumstances, decisions of the Appellate Court can be appealed to the Illinois Supreme Court, the highest court in the state.[3] Seven justices sit on the state Supreme Court. Each Supreme Court justice is elected to a 10-year term from one of the five appellate districts: three Supreme Court justices are elected from the 1st Appellate District, and one justice is elected from each of the other four districts. Supreme Court justices, who are led by a chief justice whom they elect from within their ranks, preside jointly over all cases that come before the Court.

In addition to its role as the state's highest court, the Illinois Supreme Court, through the Administrative Office of the Illinois Courts, oversees the operations of all subordinate courts, including Appellate and Circuit courts. Although the lower courts have some degree of autonomy, final authority for their administration and operation rests with the state Supreme Court.

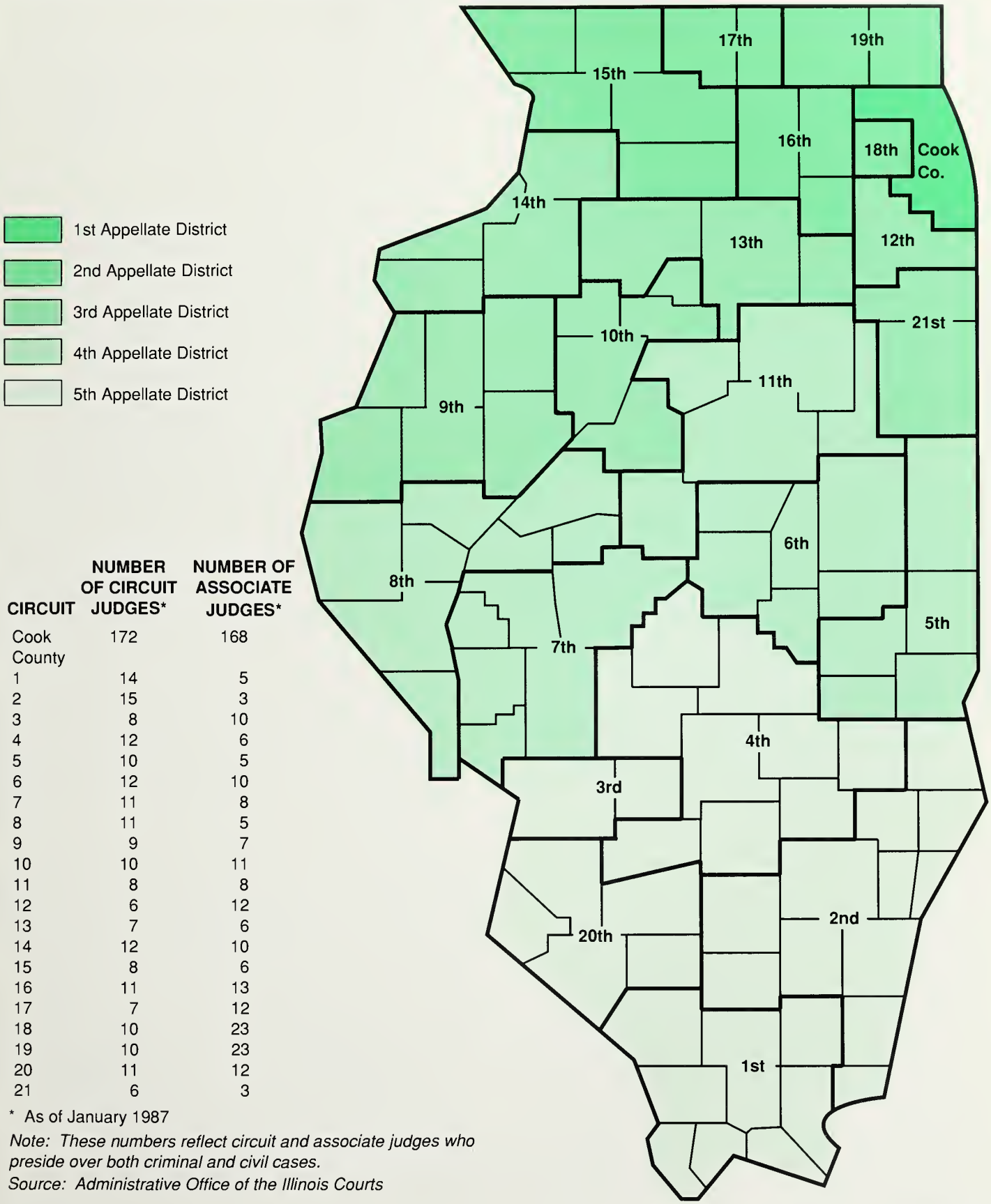
WHAT ARE THE COURTS' RESPONSIBILITIES?

The role of criminal courts in Illinois extends far beyond their responsibility to conduct trials. Before charges are ever filed against a defendant, for example, law enforcement authorities may go before a judge seeking an arrest warrant or a search warrant. And after an offender has been convicted and sentenced, the courts may still be involved in the case, since they administer both probation and the supervision of defendants on conditional discharge.

Nevertheless, the most visible court functions — and the ones requiring the most resources — are the range of events from pretrial procedures through sentencing. During this process, the courts, acting within their statutorily defined role, must make a series of decisions concerning the defendant and the merit of the case. At each of these "decision points," some defendants will inevitably exit the system for a variety of reasons, and a successively smaller number of cases will proceed.

Figure 3–2.

Illinois courts are organized into 22 judicial circuits and five appellate districts.



CIRCUIT	NUMBER OF CIRCUIT JUDGES*	NUMBER OF ASSOCIATE JUDGES*
Cook County	172	168
1	14	5
2	15	3
3	8	10
4	12	6
5	10	5
6	12	10
7	11	8
8	11	5
9	9	7
10	10	11
11	8	8
12	6	12
13	7	6
14	12	10
15	8	6
16	11	13
17	7	12
18	10	23
19	10	23
20	11	12
21	6	3

* As of January 1987

Note: These numbers reflect circuit and associate judges who preside over both criminal and civil cases.

Source: Administrative Office of the Illinois Courts

Three of these key stages — the bond hearing, the preliminary hearing, and the arraignment — occur early in the process. Although the three are distinct court functions, they often overlap. For example, the bond hearing and preliminary hearing can occur at the same proceeding, although a separate formal arraignment is required.

- **Bond hearing.** In a typical felony case, the first time the defendant appears in court is at a bond hearing.[4] During this hearing, the defendant is notified of the specific charges that have been filed. Then the judge, using available information about the charges and the defendant's criminal history, sets a bond to ensure the defendant will appear at subsequent court dates.

  Bond decisions typically involve two parts: the setting of a bond type and an associated amount of money. A defendant charged with a serious felony offense usually receives a detainer bond, commonly referred to as a "D-bond." In most cases, unless 10 percent of the full bond amount set by the court is posted, the defendant will be detained in the county jail until the case is resolved or until a judge subsequently reduces the bond and it is met.

  Illinois recently joined a growing number of jurisdictions that allow judges making bond decisions to consider the danger a defendant may pose to the community if released before trial. An amendment to the Illinois Constitution, approved by state voters in the November 1986 general election, permits judges to *deny bond* to defendants charged with certain types of serious crimes if the presumption of guilt is great and if the defendant would pose a risk to the community if released. Previously, judges were allowed to consider defendant dangerousness only in setting the bond *amount*.

  Those defendants who are charged with either a misdemeanor or a less serious felony, and who are deemed likely to appear at future court proceedings, are often released on an individual recognizance bond, commonly called an "I-bond." A defendant released on an I-bond is not required to post bond, but may remain liable to the court for a specified bond amount should the defendant fail to appear at subsequent court proceedings. Finally, in cases where the risk of the defendant fleeing is great, such as when the death sentence or life imprisonment is possible, bail may be denied altogether.[5]

  In addition, the rights of crime victims must be considered in bond hearings and throughout the court process. Under the Illinois Bill of Rights for Victims and Witnesses of Violent Crimes,[6] victims must be notified of the status of any investigation in their cases, when an indictment has been returned against any suspect, and whether suspects have been released on bail or on their own recognizance. Victims must also be told of any hearings where a guilty plea will be entered, the ultimate disposition of the case, and upcoming sentencing hearings. If an offender pleads guilty or is convicted of a violent offense, victims also have the right to file a statement detailing how the crime affected their lives and to testify at the sentencing hearing.

- **Preliminary hearing.** If a criminal case is initiated through an information, a preliminary hearing must be held to establish probable cause.[7] At this hearing, a judge determines if the charges the state's attorney has filed against the defendant warrant further action by the court. Probable cause is established when the judge determines first, that the offense occurred, and second, that it is reasonable to assume the defendant was responsible for the crime. If the judge finds no probable cause at the preliminary hearing, charges against the defendant are dismissed. If a case is initiated through a grand jury indictment, the grand jury's decision is deemed sufficient to establish probable cause.

- **Arraignment.** If probable cause is found, the defendant will then be arraigned. During arraignment, the defendant is formally charged with one or more offenses. The defendant enters an initial plea, either guilty or not guilty. If the defendant pleads guilty, the case proceeds directly to sentencing; otherwise, a trial date is set. Because the bond hearing and preliminary hearing are often handled together, it is not unusual for a defendant to plead guilty at the first court appearance. However, the plea becomes official only at arraignment.

The defendant's plea, then, determines whether or not the case will go to trial. If the defendant pleads not guilty, preparations for a trial begin. Before the actual trial starts, there may be a series of pretrial hearings. These hearings, which may be initiated by either the prosecution or the defense, are used to obtain judicial rulings on issues such as the admissibility of evidence, the legality of the arrest, or the appropriateness of the bond amount. Motions to dismiss the case or plea conferences may also take place during pretrial hearings.

Every defendant has the constitutional right to be tried by a jury of peers. A defendant may usually opt for a trial before a judge — a bench trial — although the right to a bench trial is not constitutionally guaranteed. In certain narcotics cases, the state's attorney may request

that a jury trial take place. Under state law, a defendant held in pretrial detention must be brought to trial within 120 days after being taken into custody, or within 160 days after being released on bond, unless delays are caused by the defense.[8]

If the defendant is found guilty of at least one charge, the court then sentences the offender. In most cases, the judge imposes the sentence during a separate hearing. When the death penalty is possible, however, a jury may determine, by unanimous decision, that a sentence of death should be imposed.[9]

HOW ARE SENTENCES IMPOSED IN ILLINOIS?

On February 1, 1978, Illinois implemented a determinate sentencing structure. Under this structure, the sentencing options judges have, and the sentence lengths they may impose, are more narrowly defined by statute. State law now defines the range of allowable prison sentences for different statutory classes of offenses. Generally, a judge may impose a prison sentence of a specific number of years as long as it falls within the range for the offense in question. Aggravating or mitigating circumstances can alter the length of sentence imposed to a period outside the range.

Except for offenses that carry a mandatory prison sentence — such as murder, most aggravated criminal sexual assaults, and all other Class X felonies — judges may also opt to impose sentences of probation or alternative sentences, such as periodic imprisonment or restitution. Like prison sentences, sentences of probation must fall within ranges established by statute for different crimes.

Offenders sentenced to prison under determinate sentencing will not necessarily serve their entire sentences in prison. By earning good-conduct credits, an offender may be released on mandatory supervised release (MSR) before the imposed sentence has been completed. With MSR, an offender will remain under community supervision for a statutorily defined period of time.

Under the old indeterminate sentencing structure, judges had wider discretion in sentencing offenders and the state's parole authority had greater say in when those offenders were released from prison. Judges at that time imposed sentences which themselves were defined in terms of a range — six to 10 years, for example. And since the parole board also had wide discretion, an offender could be released to community supervision (at that time, parole) even before the minimum number of years of the imposed sentence had been completed. (The comparative lengths of stay in prison under the two sentencing structures are discussed fully in Chapter 4.)

In addition to determinate sentencing, several other laws have affected sentencing policies in Illinois in recent years. For instance, state law allows "habitual offenders" to be sentenced to life imprisonment. A habitual offender is anyone who has twice been convicted of murder or a Class X felony and is subsequently convicted of a third murder or Class X offense.[10]

Depending on the circumstances of the crime, certain drug crimes can also be upgraded to more serious offenses. For example, the manufacture or delivery of a controlled or counterfeit substance can be upgraded from a Class 1 felony to a Class X felony if the offense took place on or near school property.[11] Similarly, an offender convicted of calculated criminal cannabis conspiracy following one or more previous convictions under this section of the Cannabis Control Act can be sentenced as a Class 1 felon.[12]

Except for appeals, the courts' involvement in criminal cases ends with sentencing in most states. In Illinois, however, the supervision of persons on probation or conditional discharge is also administered by the courts.[13] Most counties in the state maintain their own probation departments, which monitor people on probation or conditional discharge. Some of the smaller counties operate probation departments jointly.

The Data

Data in this chapter come from four primary sources:

1) The Administrative Office of the Illinois Courts' annual reports to the Illinois Supreme Court (1975-1984). In addition, AOIC in some instances provided preliminary, unpublished figures for 1985 and 1986.

2) *Jail and Detention Statistics and Information*, Illinois Department of Corrections (1981-1986).

3) *The Pretrial Process in Cook County: An Analysis of Bond Decisions Made in Felony Cases During 1982-83*, Illinois Criminal Justice Information Authority (1987).

4) *Statistical Presentation*, Illinois Department of Corrections (1978-1986).

Where possible, both statewide statistics and comparisons between Cook County and the rest of the state are presented. However, because of reporting differences — not only between judicial circuits but also over time within the same circuit — some of the statewide data are of limited value. In addition, some information is collected only in Cook County and not in the rest of the state. Unless otherwise stated, all data and associated discussion refer to felony offenses only.

Information on bond decisions presented a particular data-quality problem. Statewide statistics about bond decisions were generally unavailable or inadequate.[14] The bond information presented in this chapter comes from the Authority's Pretrial Decision Data Project, a study of bond decisions in a sample of 519 felony cases the Cook County Circuit Court disposed of during 1982 and 1983. Keep in mind that although this information is the most complete data available on bond decisions, it reflects only a sample of Cook County defendants and only in 1982 and 1983.

A final note: All statistics in this chapter refer to calendar years, except for average daily jail population, which is reported for state fiscal years. Illinois fiscal years run from July 1 through June 30 (for example, fiscal 1986 began July 1, 1985, and ended June 30, 1986).

Trends and Issues

How many felony cases in Illinois result in convictions each year? How many convictions result in prison sentences? In probation? What is the typical prison sentence imposed by the courts? These and other questions are analyzed in the rest of this chapter.

WHAT TYPES OF BONDS DO ACCUSED FELONS TYPICALLY RECEIVE?

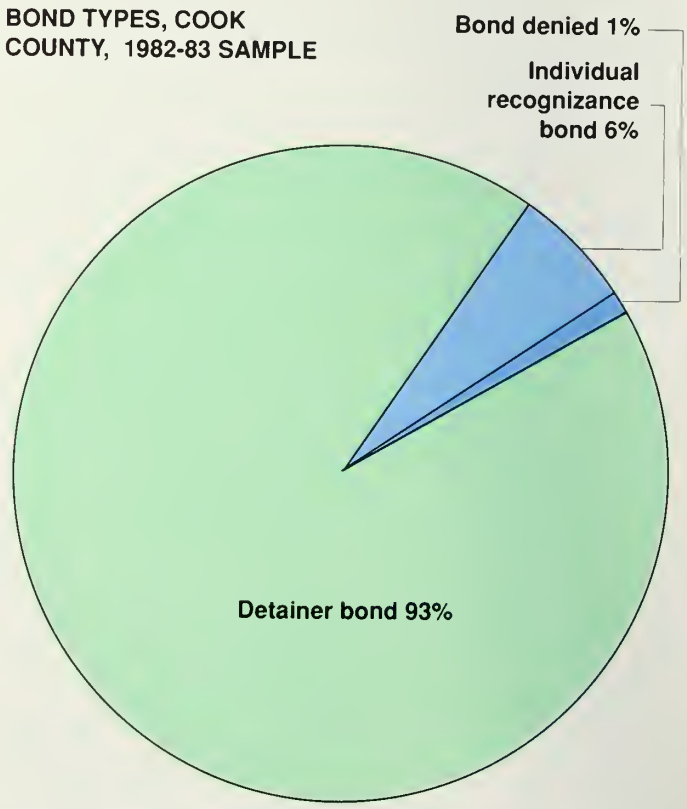
Comprehensive statewide statistics about bond decisions in Illinois are unavailable (see *The Data*). For this report, however, a sample of bond decisions in Cook County were analyzed.[15]

Among this sample of 519 felony cases that were disposed of in 1982 and 1983, 93 percent of the defendants received detainer bonds, or D-bonds (Figure 3-3). Approximately 6 percent of the defendants were released on their own recognizance (I-bonds), and the remaining 1 percent were denied bond altogether, either because they were charged with capital offenses or because they violated the terms of their conditional release from prison. With the recent amendment to the Illinois Constitution allowing judges greater authority to withhold bond for some suspects accused of certain serious crimes, the percentage of defendants denied bond may increase.

For those defendants who received D-bonds, median bond amounts were compared along two dimensions: the statutory class of the arrest charge (see Figure 3-4 for examples of crimes within the different statutory

Figure 3-3.

Most felony defendants are required to post detainer bonds.



Source: Illinois Criminal Justice Information Authority

classes) and the offense type (violent, property, etc.).[16] This analysis showed that defendants charged with the most serious statutory classes of crimes received the highest bonds, while those accused of less serious felonies received lower bonds (Figure 3-5). The median bond set for persons charged with Class M or Class X crimes was $25,300. There was little difference in the median bond amounts for Class 1, 2, and 3 defendants — about $10,000 in each case. For Class 4 defendants, $5,000 was the median amount.

Bond amounts for different *types* of crimes followed a similar pattern: defendants charged with violent offenses received much higher bonds than those accused of either property, drug, or public order offenses (Figure 3-6).[17] The median bond set for defendants charged with violent crimes was $20,000, or about four times the median amounts set for persons accused of the other three types of crimes. Defendants charged with drug offenses, most of which involved less serious crimes such as possession, received the lowest median bonds — $4,250.

Overall, the most frequently set bond amount for defendants charged with Class M and Class X felonies was $25,000. For Class 1, 2, 3, and 4 defendants, the

Figure 3-4.

Illinois' criminal code defines six classes of felony offenses.

Here are some examples of the offenses in each classification. For a complete list, see Illinois Revised Statutes 1985, chapter 38.

Class M
Murder

Class X
Aggravated arson
Aggravated criminal sexual assault
Armed robbery
Attempted murder
Home invasion

Class 1
Attempted armed robbery
Aggravated kidnapping
Criminal sexual assault
Residential burglary
Voluntary manslaughter

Class 2
Attempted residential burglary
Arson
Burglary (non-residential)
Kidnapping
Strongarm robbery

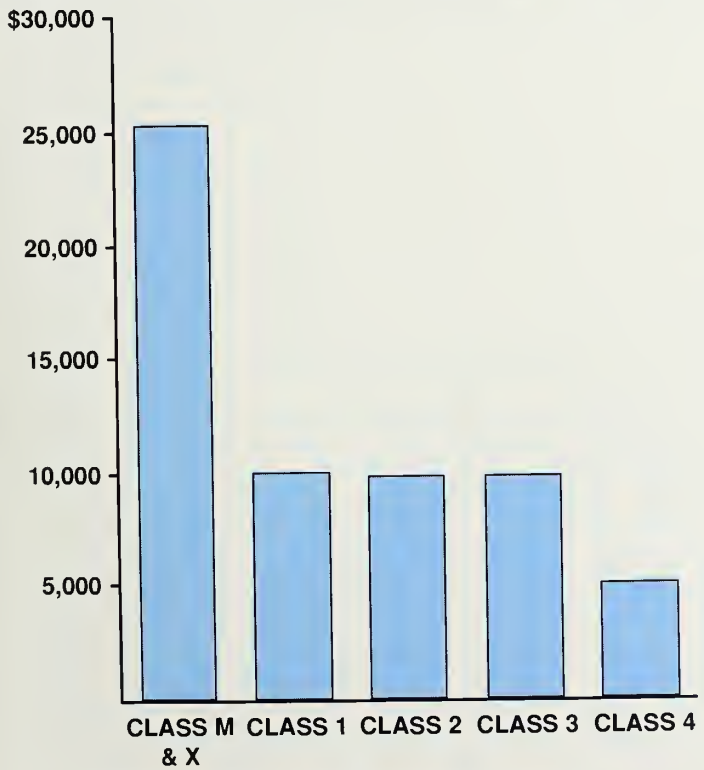
Class 3
Aggravated battery
Forgery
Motor vehicle theft
Reckless homicide (vehicular and non-vehicular)
Retail theft (more than $150 value)
Theft (more than $300 value)

Class 4
Bookmaking
Bribery
Manufacture/delivery of cannabis
Unlawful restraint

Figure 3-5.

Defendants accused of Class M and Class X offenses receive much higher bonds.

MEDIAN BONDS, COOK COUNTY, 1982-83 SAMPLE

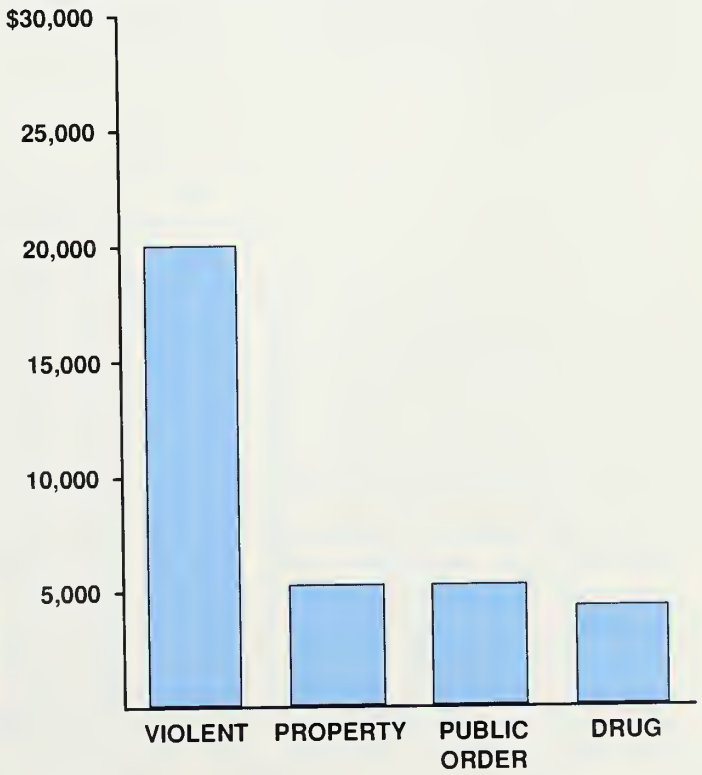


Source: Illinois Criminal Justice Information Authority

Figure 3-6.

Defendants charged with violent crimes also receive much higher bonds.

MEDIAN BONDS, COOK COUNTY, 1982-83 SAMPLE



Source: Illinois Criminal Justice Information Authority

most common bond amount was $5,000. The most frequently set bond amount for defendants charged with violent offenses was $25,000. For property, public order, and drug offenses, the amount was $5,000.

WHICH DEFENDANTS REMAIN IN PRETRIAL DETENTION WHILE THEIR CASES ARE PENDING?

County jails in Illinois serve two primary functions: to detain defendants who are unable to post bond while awaiting trial, and to house certain convicted offenders.[18] Any defendant who cannot immediately post the required 10 percent of a D-bond must remain in jail until the required bond amount is posted or the case is resolved.

For the most part, persons charged with relatively serious crimes tend to spend more time in pretrial detention than those charged with less serious offenses because the bonds set in cases involving violent crimes are usually higher. For example, about four out of every five defendants accused of Class M or Class X crimes in Cook County in 1982 remained in custody until final disposition of their cases (Figure 3-7). Approximately half of the Class 1 and Class 2 defendants, one-third of the Class 3 defendants, and one-fifth of the Class 4 defendants remained in pretrial detention for the duration of their cases.

HOW DO PRETRIAL DETAINEES AFFECT COUNTY JAIL POPULATIONS?

The vast majority of inmates in Illinois' county jails are people who are held awaiting disposition of their cases, not sentenced offenders. However, the percentage of jail inmates who are pretrial detainees differs between Cook County and the remainder of the state.

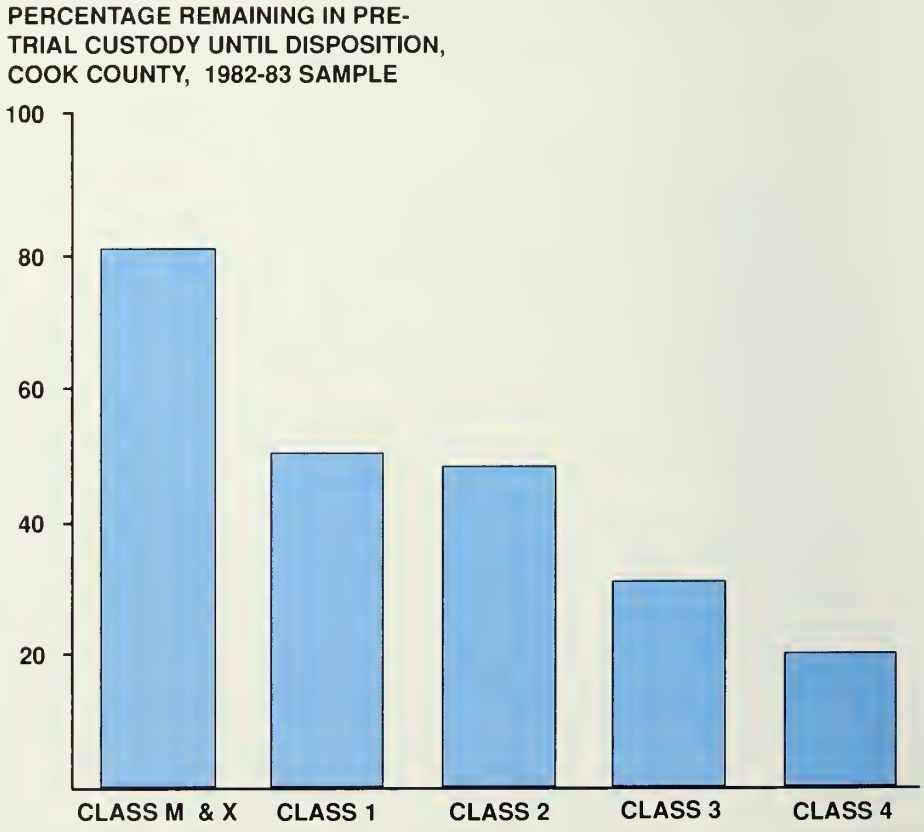
From fiscal 1981 to fiscal 1986, between 86 percent and 87 percent of the inmates in Cook County Jail were detained awaiting disposition of their cases (Figure 3-8). This percentage remained constant despite changes in the jail's average daily population.

Outside Cook County, where the average daily jail population increased steadily after fiscal 1981, the proportion of detainees awaiting disposition of their cases has been lower than in Cook County. In addition, this proportion has generally declined since 1981, when it was 79 percent (Figure 3-9). Pretrial detainees accounted for 72 percent of the average daily jail population outside Cook County in fiscal 1985 and 73 percent in fiscal 1986.

HAVE FELONY CONVICTIONS INCREASED OR DECREASED IN RECENT YEARS?

The number of felony convictions in Illinois generally increased from 1978 to 1983, although there were slight declines in both 1984 and 1985 (Figure 3-10). The

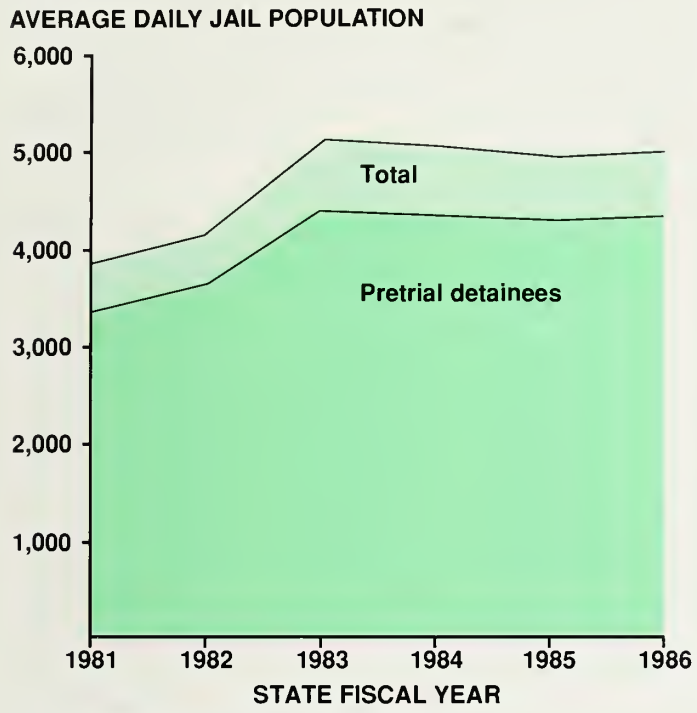
Figure 3-7.
Most defendants charged with Class M and Class X offenses remain in custody until their trials are completed.



Source: Illinois Criminal Justice Information Authority

Figure 3-8.

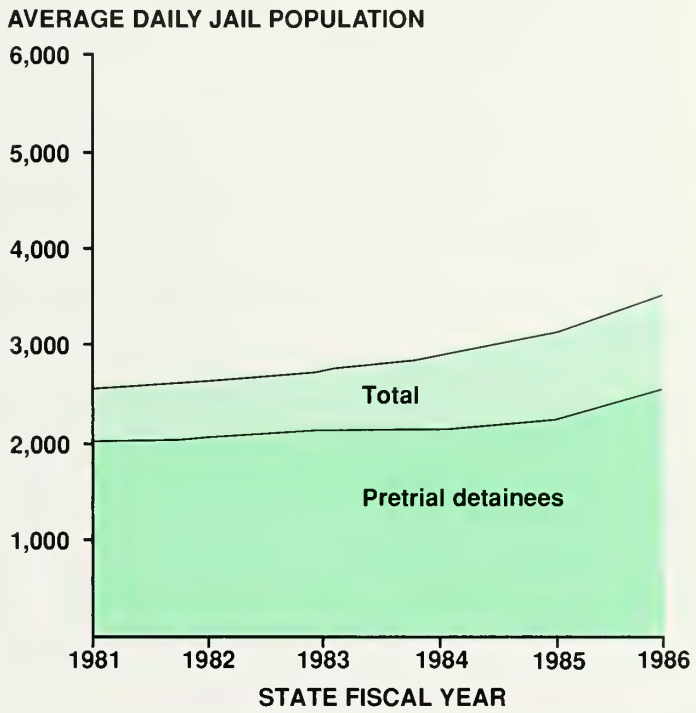
Most persons held in Cook County Jail are defendants awaiting disposition of their cases.



Source: Illinois Department of Corrections

Figure 3-9.

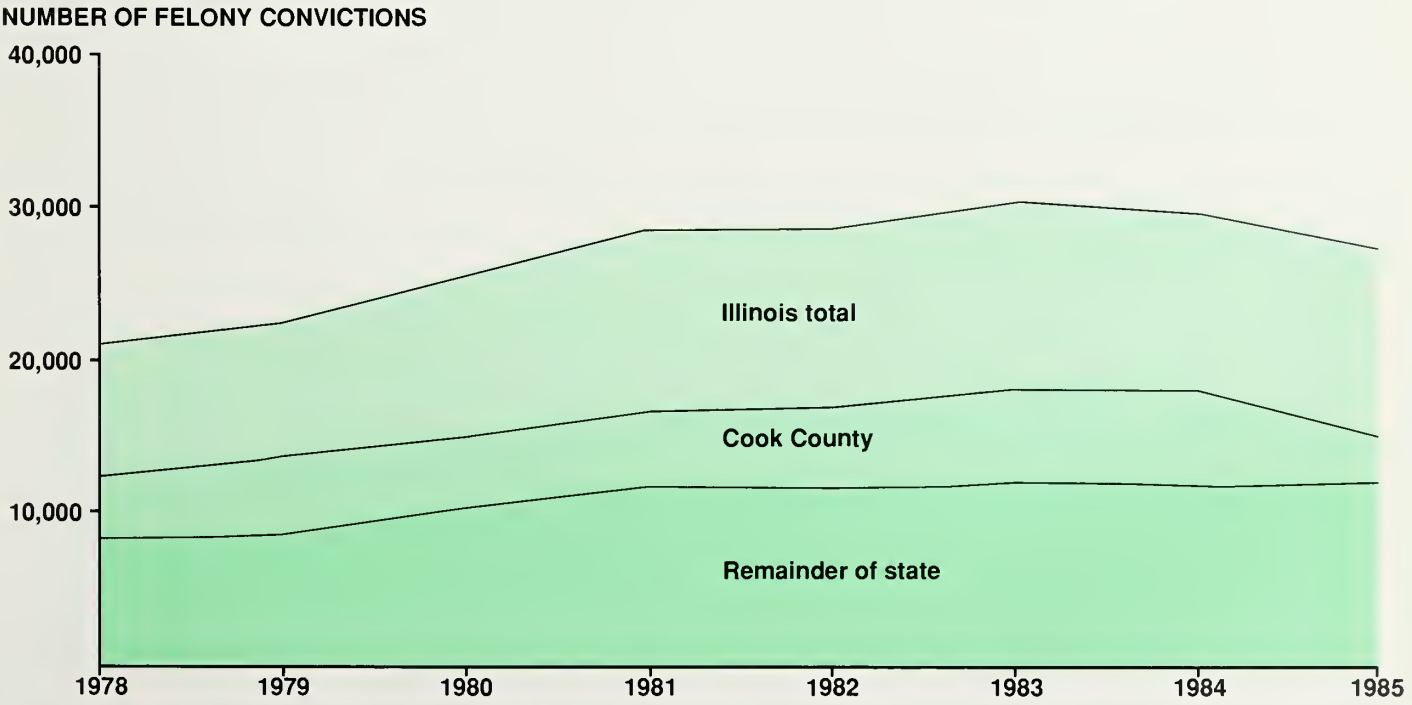
Outside Cook County, the proportion of jail inmates who are sentenced offenders has increased.



Source: Illinois Department of Corrections

Figure 3-10.

The number of felony convictions in Illinois generally increased after 1978, but declined in 1984 and 1985.



Source: Administrative Office of the Illinois Courts

number of convictions peaked at nearly 30,500 in 1983, a 45 percent increase over the 1978 total of approximately 21,000.

The recent decrease statewide, though slight, was due to a 16 percent drop in convictions in Cook County between 1984 and 1985. In the remainder of the state, the number of convictions increased 4 percent from 1984 to 1985.

HAS THE NUMBER OF FELONY CASES GOING TO TRIAL CHANGED?

Statewide, the total number of cases going to trial more than doubled between 1975 (2,692) and 1985 (6,217). The number of felony acquittals and convictions generally increased between 1975 and 1984, and then declined in 1985.[19] This pattern was largely driven by a nearly fourfold increase in trial dispositions in Cook County from 1975 to 1984. Overall, Cook County accounted for the vast majority of felony trial dispositions in the state between 1975 and 1985, especially in the most recent years. In the remainder of Illinois, the number of felony trial dispositions remained relatively constant throughout the 11-year period.

In both Cook County and the remainder of the state, felony trials were more likely to result in convictions than acquittals during this period (Figure 3-11).[20] However, the ratio of convictions to acquittals varied over time and between Cook County and the rest of the state.

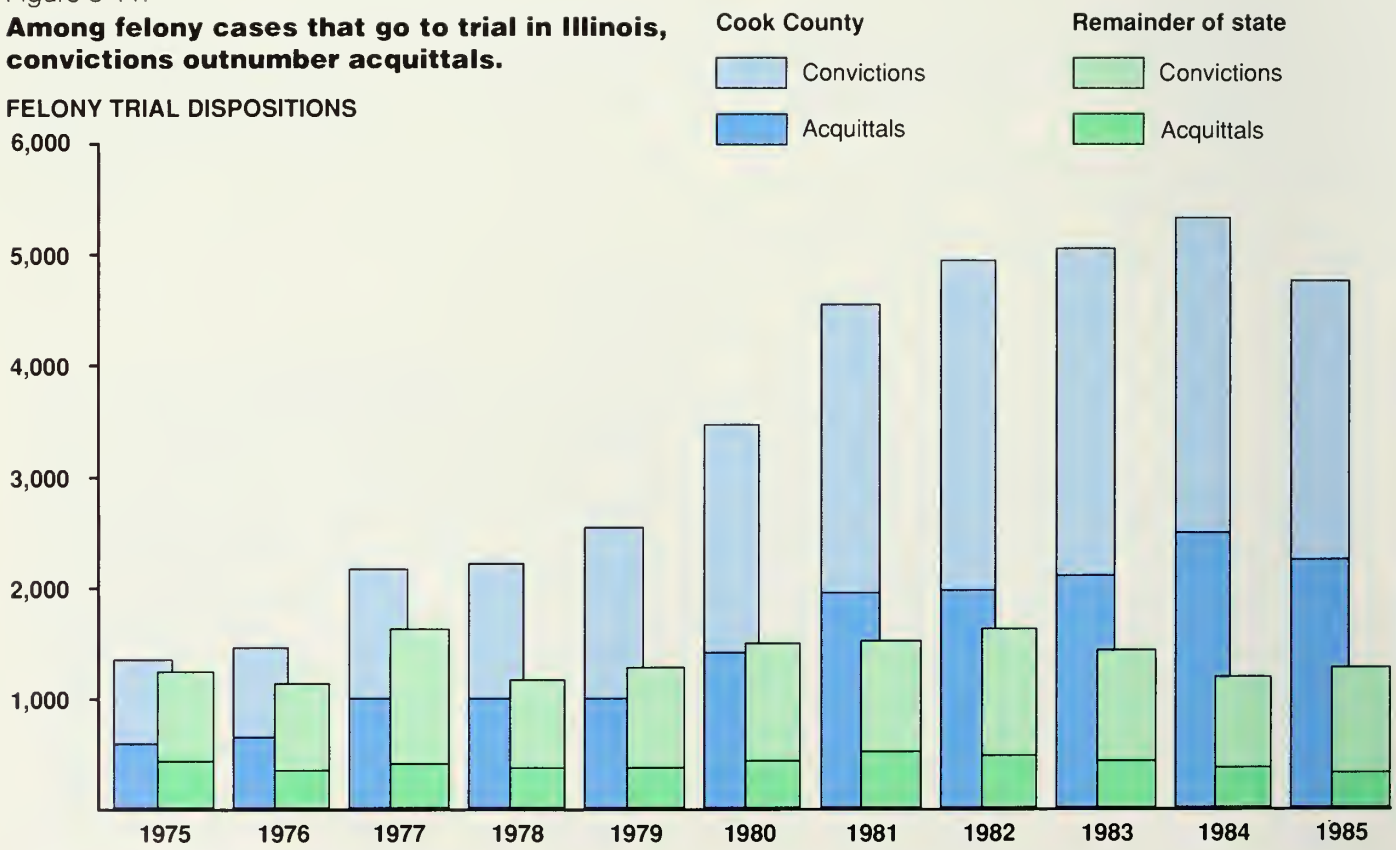
In Cook County, convictions accounted for an average of 56 percent of the felony trial dispositions between 1975 and 1985. The yearly percentage of convictions ranged from 53 percent to 61 percent and was generally higher between 1979 and 1983, when it ranged from 58 percent to 61 percent. In both 1984 and 1985, convictions made up 53 percent of all felony trial dispositions in Cook County.

Outside Cook County, the percentage of felony trial dispositions that were convictions averaged 61 percent during the 11-year period. The yearly percentage ranged from 54 percent in 1978 to 66 percent in 1985. Although the remainder of the state had a higher average percentage of convictions, there was no apparent pattern as there was in Cook County.

Statewide, convictions averaged 58 percent of all felony trial dispositions between 1975 and 1985; the yearly percentage ranged from 54 percent to 61 percent. Because the statewide pattern was influenced primarily by patterns in Cook County, the statewide conviction percentages were also highest between 1979 and 1983 (58 percent to 61 percent).

Figure 3-11.

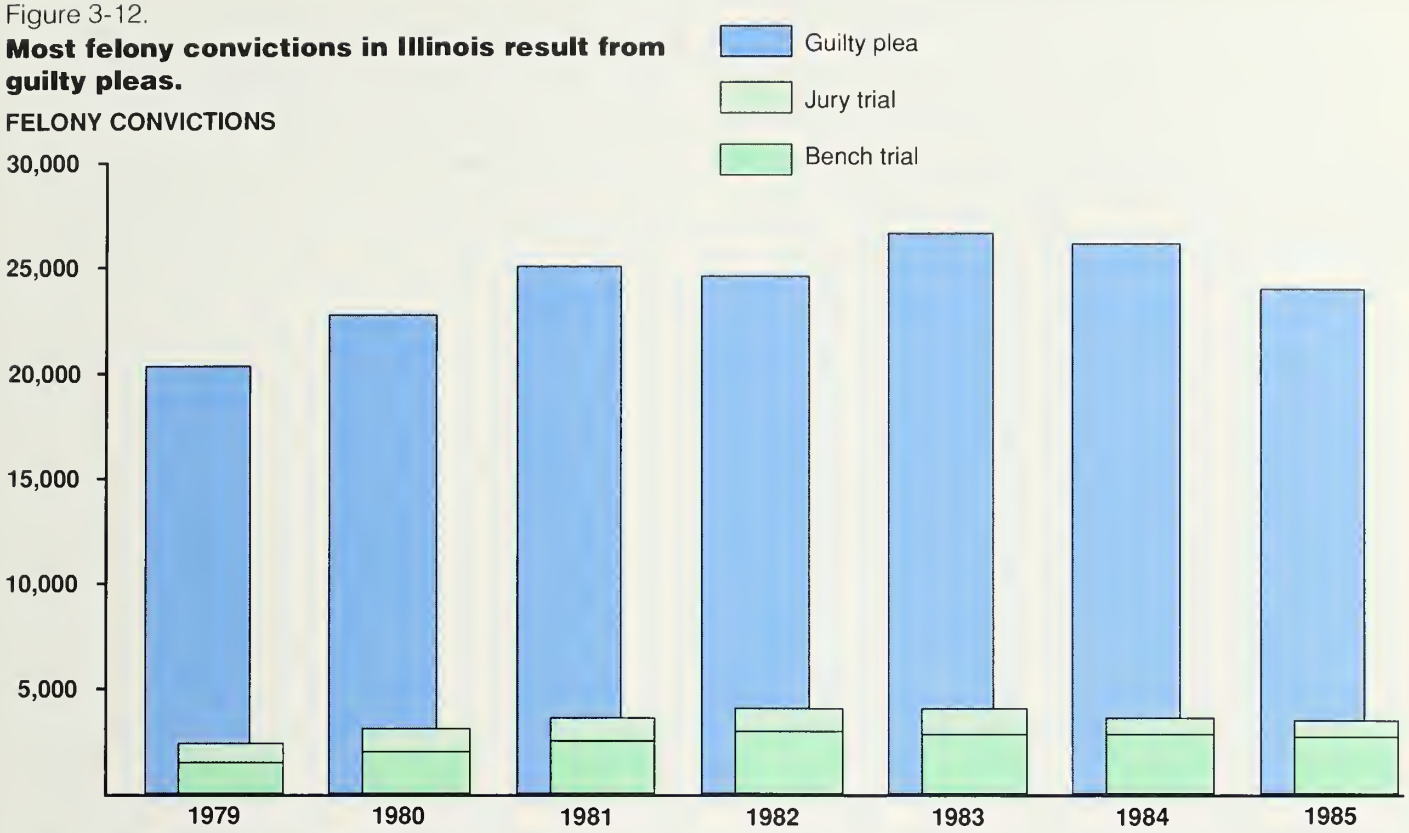
Among felony cases that go to trial in Illinois, convictions outnumber acquittals.



Source: Administrative Office of the Illinois Courts

Figure 3-12.

Most felony convictions in Illinois result from guilty pleas.



Source: Administrative Office of the Illinois Courts

HOW MANY FELONY CONVICTIONS INVOLVE GUILTY PLEAS, JURY TRIALS, AND BENCH TRIALS?

A conviction in a felony case can result from one of three methods: a jury trial, a bench trial, or a guilty plea from the defendant. Although the number of felony convictions in Illinois has generally risen in recent years, the respective percentages of convictions resulting from these three methods have changed very little.

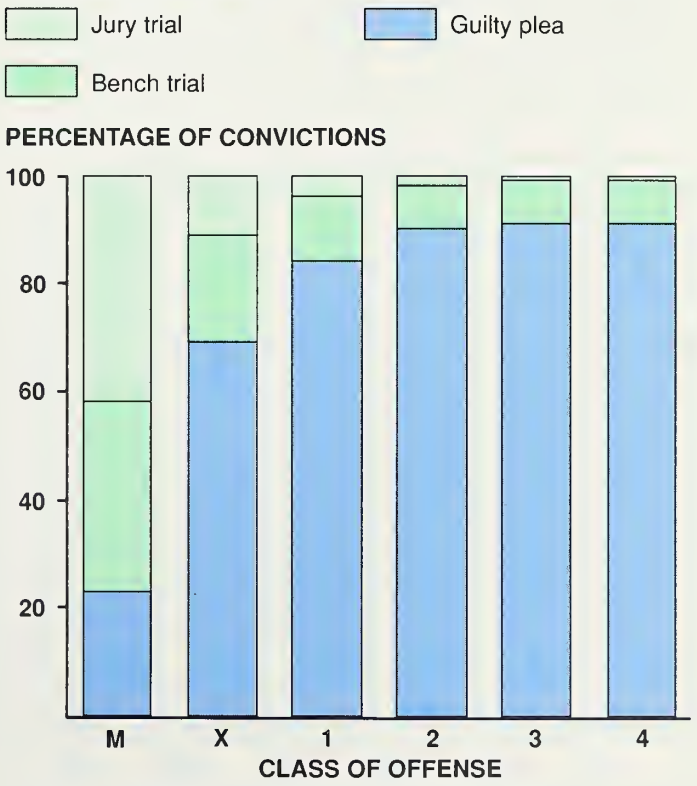
In every year between 1979 and 1985, jury trials accounted for only about 5 percent of all felony convictions in the state (Figure 3-12). The proportion of convictions involving bench trials ranged from about 6 percent in 1979 to 10 percent in 1985. And for convictions resulting from guilty pleas, the yearly percentage ranged from a low of 86 percent in 1982 to a high of 89 percent in 1979.

However, these percentages vary for different types of felony cases. Generally, as the seriousness of the charge increases, the likelihood that a conviction will result from a guilty plea diminishes.

Statewide in 1985, for example, nearly 84 percent of the convictions for Class 1 offenses, and more than 90 percent of the Class 2, 3, and 4 convictions, involved guilty pleas (Figure 3-13). Among the more serious Class X offenses, 69 percent of all convictions that year resulted from guilty pleas. Only for Class M, or

Figure 3-13.

In 1985, most murder convictions in Illinois resulted from jury or bench trials.



Source: Administrative Office of the Illinois Courts

murder, offenses did the majority of convictions involve either jury or bench trials. Forty-two percent of the murder convictions in 1985 came after jury trials; 35 percent followed bench trials.

HOW MANY FELONY SENTENCES IMPOSED BY ILLINOIS COURTS ARE FOR IMPRISONMENT?

The number of prison sentences imposed by Illinois courts more than doubled between 1975, when there were about 6,300, and 1983, when there were more than 12,700 (Figure 3-14). During this time, there were increases in both Cook County and the remainder of the state, although the increase was more pronounced in Cook County. The number of prison sentences imposed in Cook County rose from 3,603 in 1975 to 7,983 in 1983, a 122 percent increase. Outside Cook County, the number of prison sentences imposed increased 73 percent, from 2,725 in 1975 to 4,726 in 1983.

After 1983, there was a slight decline in the number of prison sentences imposed statewide. Prison sentences declined 5 percent between 1983 and 1984, and another 5 percent between 1984 and 1985.

Clearly, the increase in the total number of *convictions* from 1975 to 1985 was partially responsible for the large increase in the number of prison sentences imposed during this period. To determine whether there was a *proportional* increase in the imposition of prison sentences during the period, it is necessary to examine the percentage of felony sentences that involve imprisonment as opposed to all other types of sentences.

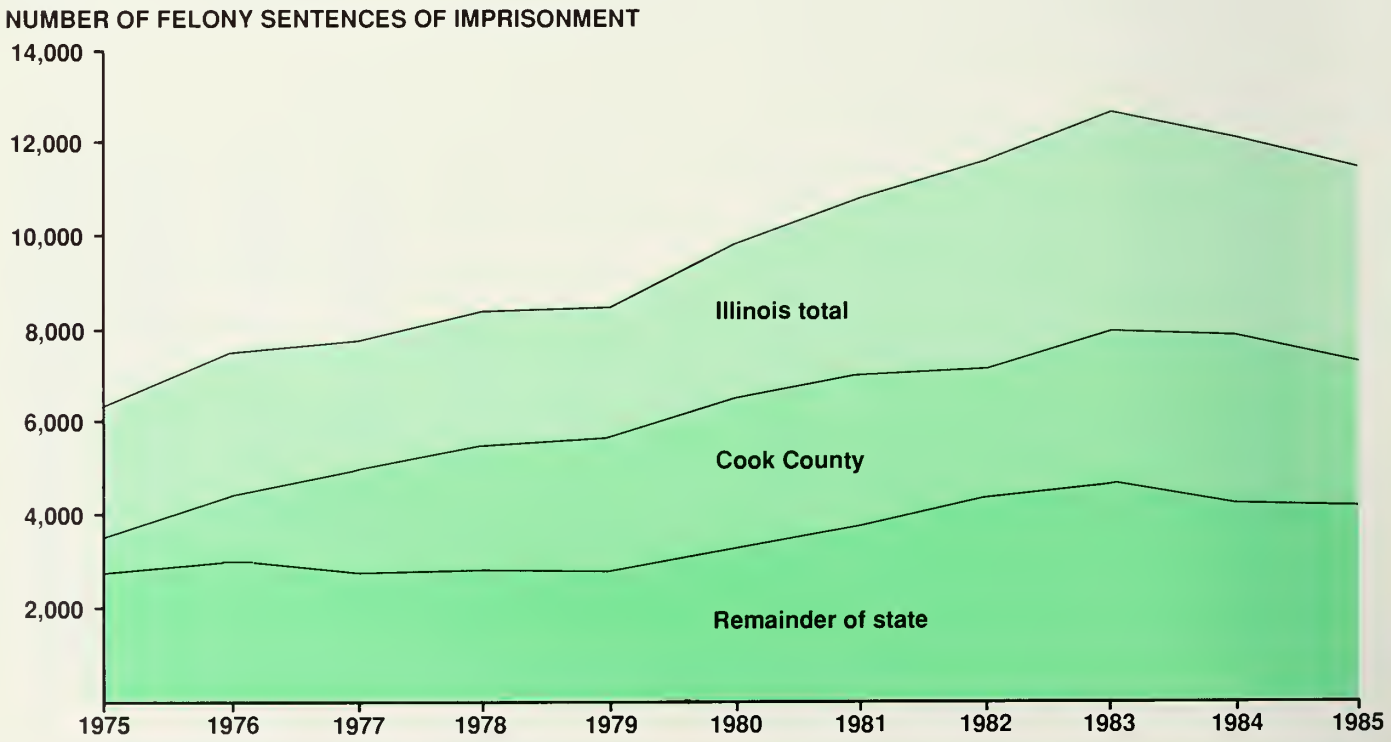
In 1975, imprisonment accounted for 36 percent of all felony sentences imposed by the courts statewide. By 1985, this figure had increased to 42 percent (Figure 3-15). In Cook County, the increase was even more dramatic — from 36 percent in 1975 to 49 percent in 1985. There were two substantial increases during this period in Cook County: from 1975 (36 percent) to 1976 (43 percent) and from 1984 (44 percent) to 1985 (49 percent).

Outside Cook County, the proportion of felony sentences that were imprisonment changed much less during the 11-year period. From 36 percent in 1975, it reached an 11-year high of 39 percent in 1983, and then decreased to 35 percent in 1985.

The Illinois General Assembly has enacted a number of laws designed to impose mandatory, and sometimes longer, prison sentences for certain serious crimes. For example, the Legislature mandated that all Class X felonies, as well as residential burglary and aggravated criminal sexual assault, carry mandatory pris-

Figure 3-14.

The number of prison sentences imposed in Illinois more than doubled between 1975 and 1983.



Source: Administrative Office of the Illinois Courts

Figure 3-15.

In every year after 1975, more than 40 percent of all felony sentences imposed in Cook County involved prison terms.

PERCENTAGE OF FELONY SENTENCES INVOLVING PRISON TERMS

	Statewide	Cook County	Remainder of state
1975	**36%**	36%	36%
1976	**40**	43	37
1977	**39**	43	33
1978	**40**	44	34
1979	**38**	41	32
1980	**38**	43	31
1981	**38**	42	32
1982	**40**	42	38
1983	**42**	44	39
1984	**41**	44	36
1985	**42**	49	35

Source: Administrative Office of the Illinois Courts

on sentences. These legislative changes may also have contributed to the increase in the proportion of prison sentences imposed in Cook County and statewide.

HOW MANY FELONY SENTENCES IMPOSED ARE FOR PROBATION?

The number of felony sentences of probation imposed by Illinois courts generally parallels the trends for both felony convictions and prison sentences. Like the other two, the number of probation sentences generally increased from 1975 to 1983, and then declined over the next two years.

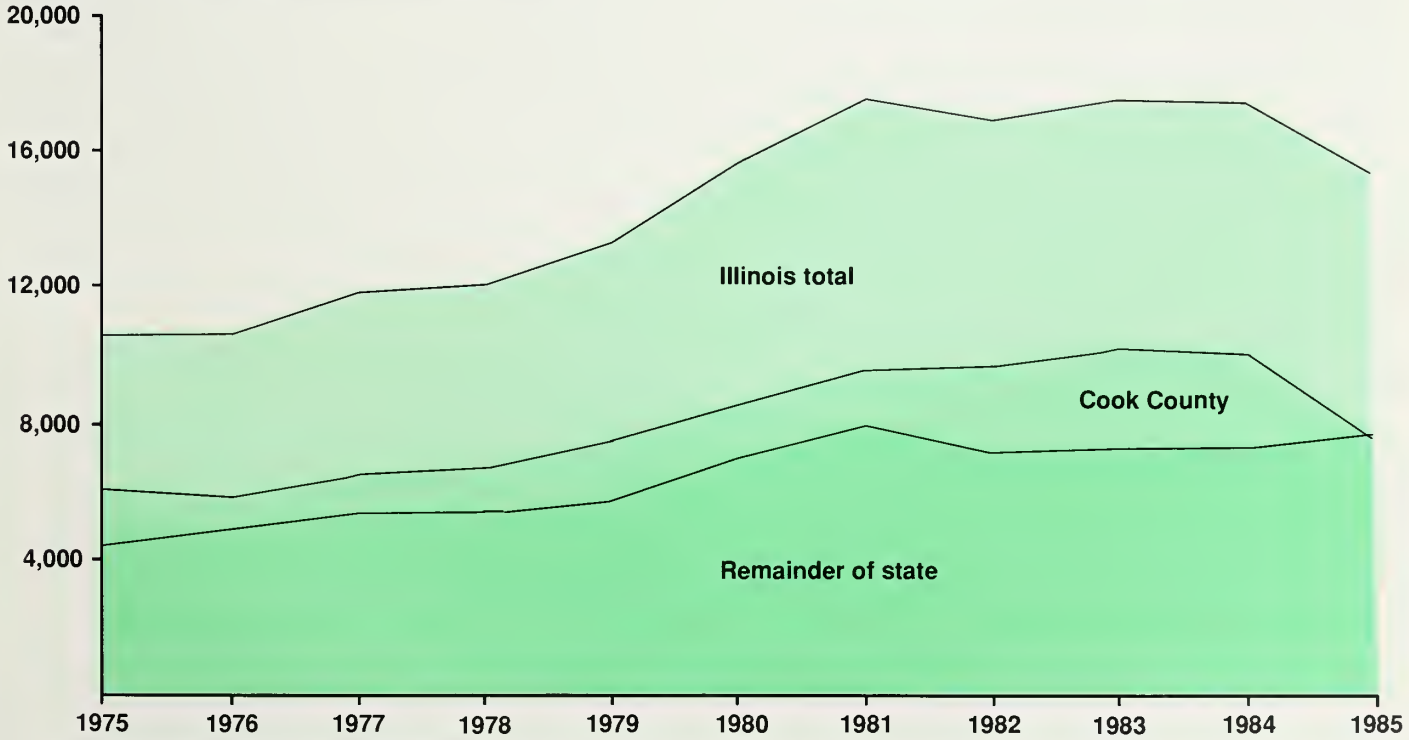
The number of felony probation sentences imposed statewide rose 66 percent between 1975 and 1983 (Figure 3-16). The increase was 68 percent in Cook County and nearly 63 percent in the rest of the state. From 1983 to 1985, however, the number of felony probation sentences imposed in Cook County declined 26 percent. In the rest of the state, the number continued to increase through 1985, though at a modest rate of 6 percent. In fact, 1985 was the first year in the entire 11-year period in which the number of felony probation sentences imposed outside Cook County surpassed the number in Cook County (7,754 vs. 7,568).

Although the *number* of felony probation sentences increased rapidly from 1975 to 1983 and then

Figure 3-16.

After increasing steadily, statewide felony probation sentences declined in 1984 and 1985.

NUMBER OF FELONY PROBATION SENTENCES



Source: Administrative Office of the Illinois Courts

declined over the next two years, the *proportion* of all felony sentences that were probation varied less markedly during this period. Statewide, the proportion of felony sentences involving probation ranged from a low of 57 percent — in 1983 and 1985 — to a high of 61 percent — in 1975, 1980, and 1981 (Figure 3-17).

The proportion was lower in Cook County than in the rest of Illinois in all years except 1975. In Cook County, it ranged from a low of 51 percent in 1985 to a high of 61 percent in 1975; however, the percentage fluctuated during this 11-year period and there was no clear trend. Outside Cook County, the proportion of felony sentences involving probation also varied sporadically, from a low of 60 percent (in 1975, 1976, and 1983) to a high of 67 percent (in 1980 and 1981). In 1985, the most recent year for which data are available, 51 percent of all felony sentences imposed in Cook County, and 64 percent of those imposed in the remainder of the state, were for probation.

It is not readily apparent *why* probation is proportionally a more prevalent type of felony sentence outside Cook County. In other words, it cannot be determined whether the variance can be attributed to differences in either sentencing policies or the characteristics — for example, seriousness — of convicted felons in different parts of the state. The difference is more complex than can be addressed with these data, and it likely involves both of these factors, as well as others.

Figure 3-17.

Nearly two-thirds of all felony sentences imposed outside Cook County were for probation in 1985.

PERCENTAGE OF FELONY SENTENCES INVOLVING PROBATION

	Statewide	Cook County	Remainder of state
1975	**61%**	61%	60%
1976	**58**	56	60
1977	**59**	56	64
1978	**58**	54	64
1979	**59**	55	66
1980	**61**	57	67
1981	**61**	58	67
1982	**59**	58	61
1983	**57**	56	60
1984	**58**	56	63
1985	**57**	51	64

Source: Administrative Office of the Illinois Courts

HOW DO FELONY SENTENCES OF IMPRISONMENT AND PROBATION COMPARE?

Imprisonment and probation are not the only felony sentences Illinois courts may impose. For example, some convicted felons are sentenced to periodic detention in a county jail, some must pay restitution to the victim, and others are fined but do not receive probation. Some defendants are also found mentally unfit to be sentenced. Still, the overwhelming majority of sentences imposed by the courts involve either imprisonment or probation.

Although the actual number of felony prison sentences imposed has declined in recent years, this generally reflected the decline in the number of convictions statewide. Even with this drop in the total number, the *proportion* of all felony sentences that involved imprisonment remained high. In 1985, 42 percent of all felony sentences statewide involved imprisonment, matching 1983 for the highest rate of imprisonment. However, probation still remains the most common felony sentence in the state — 57 percent of all sentences in 1985.

The increase in the proportion of prison sentences imposed was most evident in Cook County. In 1975, 36 percent of the felony sentences were for imprisonment, compared with 61 percent for probation, and less than 3 percent for other sanctions (Figure 3-18). Eleven years later, the percentage of sentences involving imprisonment had increased to 49 percent, while the percentage of sentences involving probation had decreased to 51 percent. After 1975, prison sentences never accounted for less than 41 percent of all felony sentences imposed in Cook County in any year, and probation never made up more than 58 percent.

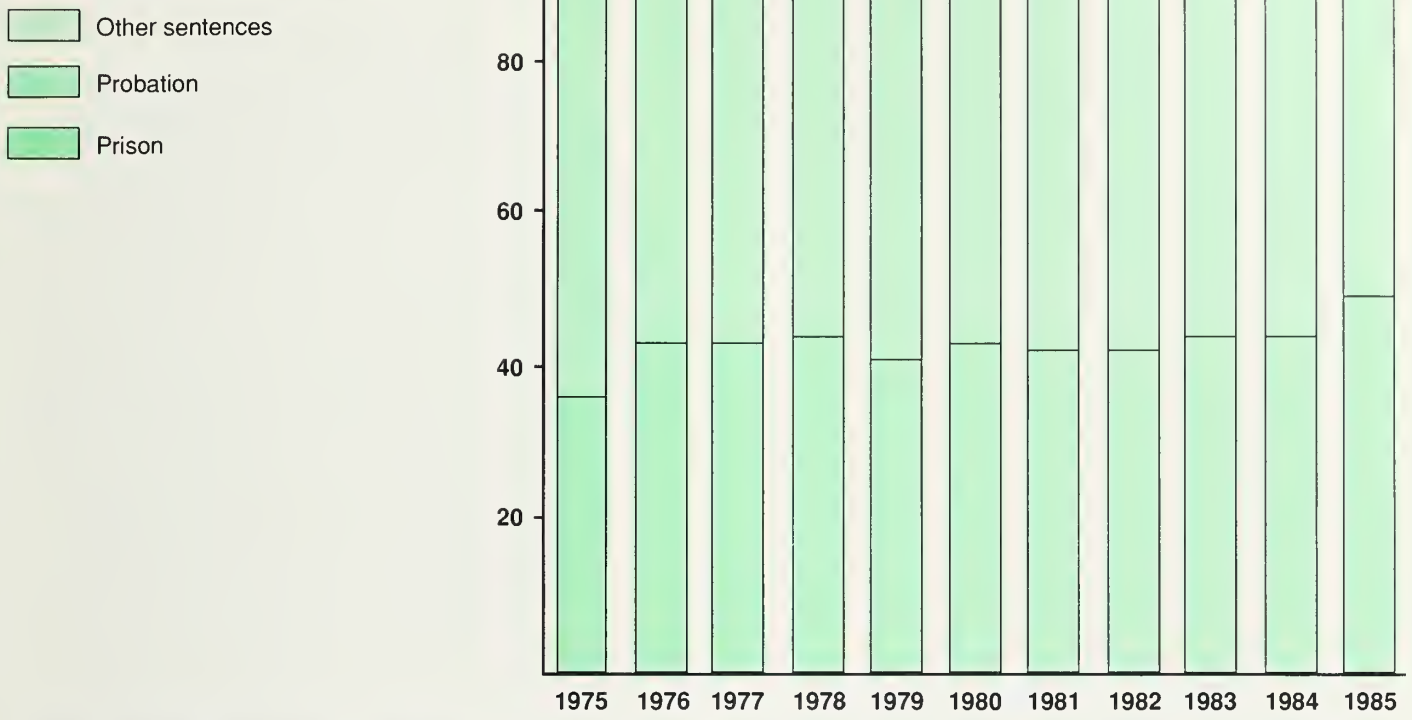
In the remainder of the state, there was no clear trend toward imprisonment as a felony sentence (Figure 3-19). Prison sentences accounted for approximately the same percentage of all felony sentences imposed in both 1975 (36 percent) and 1985 (35 percent). In 1980, imprisonment accounted for just 31 percent of all felony sentences outside Cook County; in 1983, however, it constituted 39 percent. Between 1975 and 1985, probation never made up less than 60 percent of all felony sentences imposed outside Cook County.

WHAT ARE THE CASELOADS OF PROBATION DEPARTMENTS IN ILLINOIS?

Most adult probation departments in Illinois operate in individual counties, although some departments cover a complete judicial circuit. The size of each probation department varies considerably. Some small depart-

Figure 3-18.

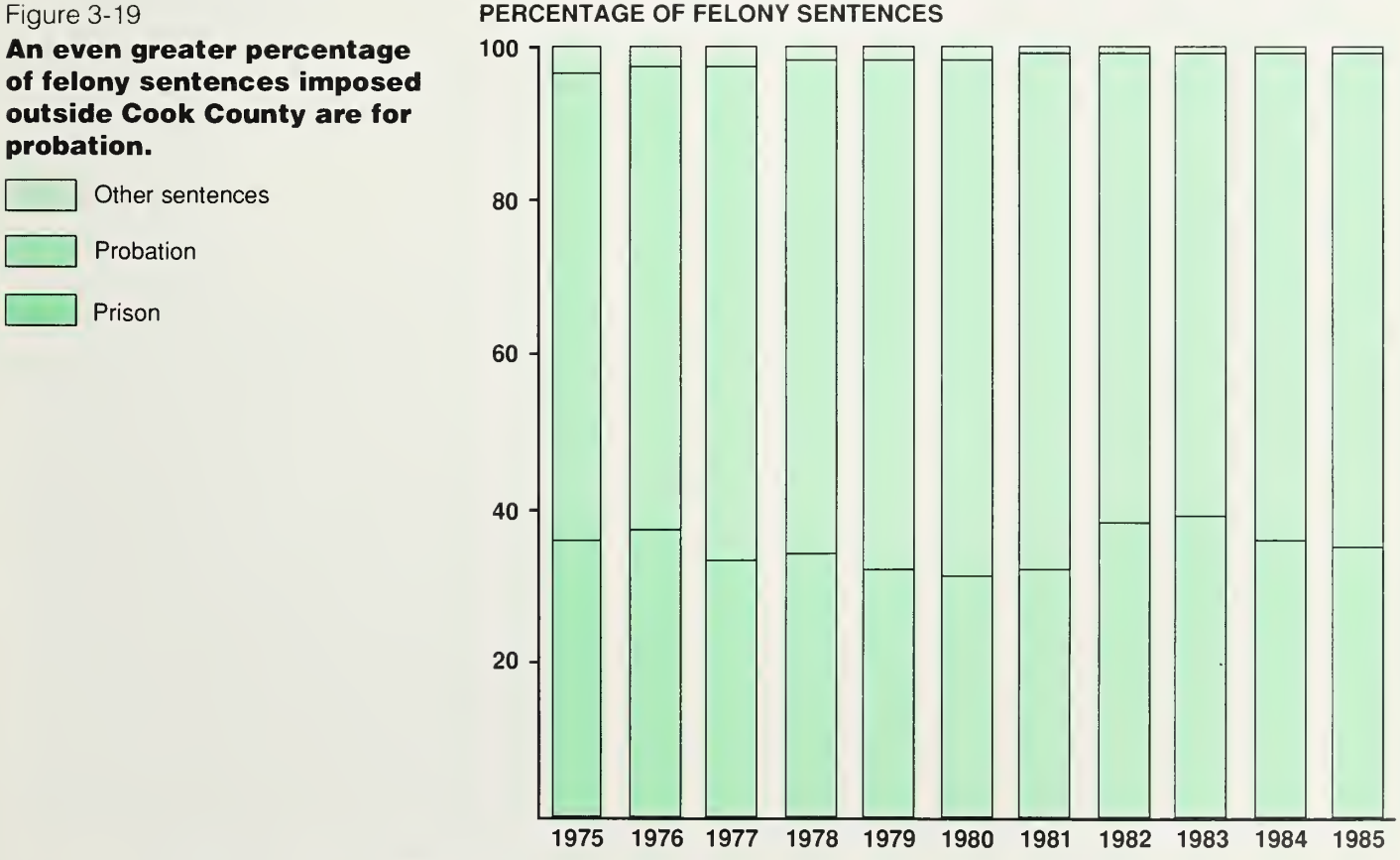
The majority of felony sentences imposed in Cook County are for probation.



Source: Administrative Office of the Illinois Courts

Figure 3-19

An even greater percentage of felony sentences imposed outside Cook County are for probation.



Source: Administrative Office of the Illinois Courts

ments have only one probation officer, while the Cook County Probation Department has several hundred. In fact, Cook County had 761 probation officers in 1985, or slightly more than half of the probation officers in the state (Figure 3-20). Cook County also had nearly 65 percent of the 531 support staff working in the state's probation departments in 1985.

The year-end caseloads — including both felony and misdemeanor cases — of Illinois' adult probation departments generally declined between 1981 and 1984 (Figure 3-21). Much of this decrease occurred in Cook County, where the number of probation cases decreased from approximately 40,000 in 1981 to about 33,500 in 1984. However, the number of probation cases statewide increased 22 percent in 1985, to 74,750, and another 2 percent in 1986, to approximately 76,200.

This 24 percent increase was due mainly to a substantial rise in the caseloads of probation departments outside Cook County. After increasing 17 percent between 1981 and 1982, the year-end caseloads of these probation departments declined over the next two years. However, their caseloads grew 48 percent between 1984 and 1986, when the total reached nearly 41,200.

Two factors may affect probation caseloads: an increase in the use of probation as a sentence, and individual probation cases remaining active for longer periods of time.[21]

WHICH OFFENDERS ARE MOST LIKELY TO RECEIVE PRISON SENTENCES?

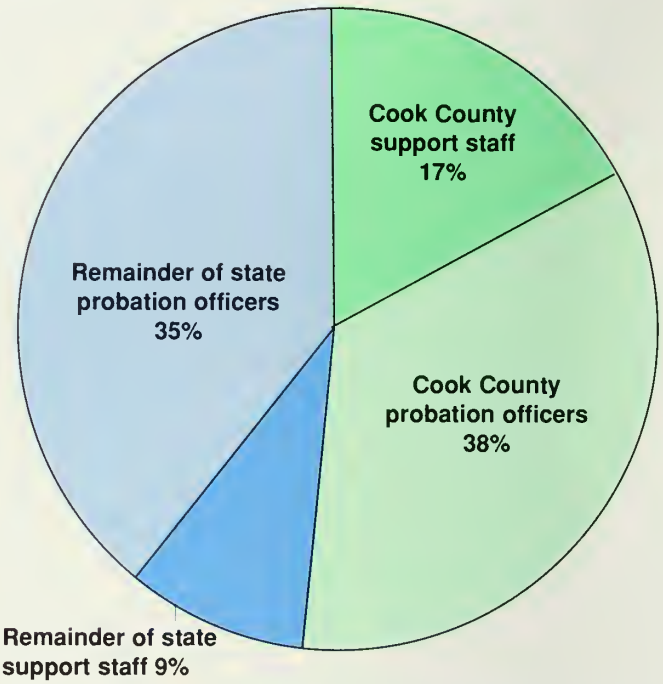
Anyone convicted of murder, any Class X offense, or certain other crimes in Illinois receives a mandatory prison sentence. Among other offenders, the likelihood of receiving a prison sentence generally increases as the seriousness of the offense escalates. This pattern was evident in both Cook County and the remainder of the state between 1979 and 1985. Statewide, the majority of offenders convicted of a Class 1 felony during those seven years were sentenced to prison (Figure 3-22). This percentage ranged from 52 percent in 1981 to 63 percent in 1983 and 1984.

The imprisonment rates for Class 2, 3, and 4 offenders were substantially lower; however, the general trend of imprisonment for more serious crimes still held true. The percentage of Class 2 felons sentenced to prison stayed about the same from 1979 through 1985 — between 36 percent and 40 percent. Among Class 3 felons, the percentage who were imprisoned rose steadily from 23 percent in 1979 to 32 percent in 1983 and 35 percent in 1985. The imprisonment rate for Class 4 felons declined slightly during the seven-year period.

Figure 3-20.

More than half of the 2,001 probation personnel in Illinois work in Cook County.

PROBATION PERSONNEL, 1985

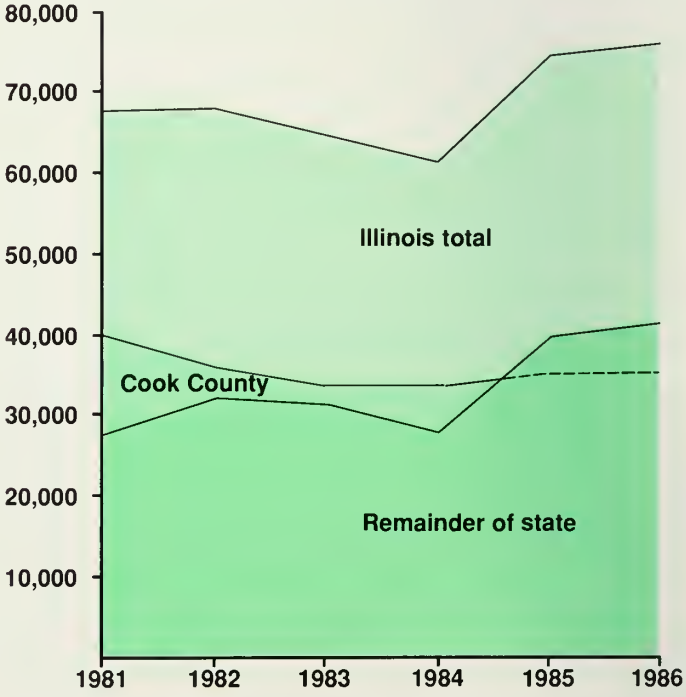


Note: Percentages do not add up to 100 because of rounding.
Source: Administrative Office of the Illinois Courts

Figure 3-21.

The number of adults on probation in Illinois has increased since 1984.

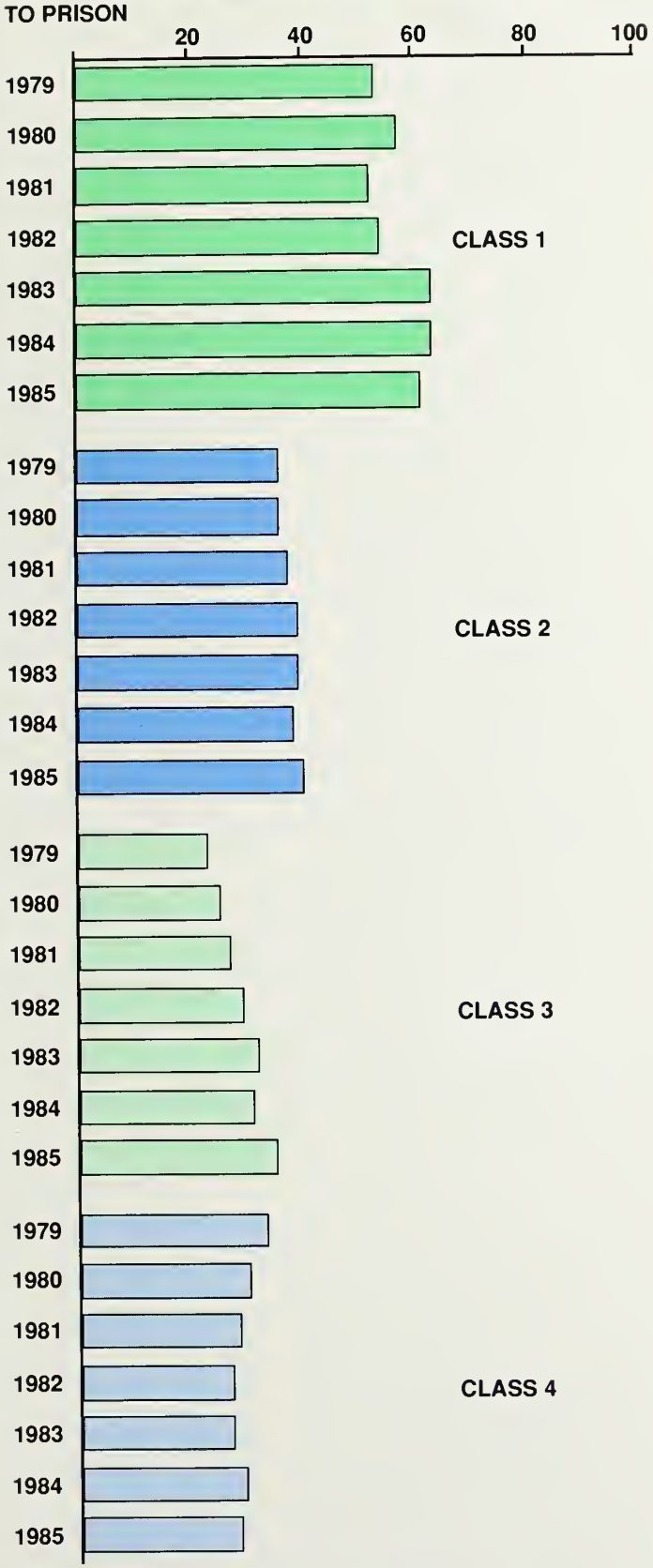
YEAR-END PROBATION CASELOAD



Source: Administrative Office of the Illinois Courts

Figure 3-22.

The more serious the crime, the more likely that a convicted felon will be sent to prison.



Source: Administrative Office of the Illinois Courts

HOW LONG ARE THE PRISON SENTENCES IMPOSED FOR SELECTED CRIMES?

Sentencing practices in Illinois changed dramatically in 1978, when a system known as indeterminate sentencing was replaced with a determinate, or "flat-time," structure.[22] Under the old system, each convicted felon sentenced to incarceration was given a prison term defined as a range of years. Judges generally had substantial discretion in establishing the range for each offender, and the state's parole board also had discretion in determining an offender's eligibility for parole and release date.

Under the current sentencing structure, offenders are sentenced to a specific number of years in prison. State law presents a range of permissible sentences for different crimes, and judges must choose sentences from within this range. Mitigating or aggravating factors, such as habitual offenses, may alter the sentences for individual offenders.

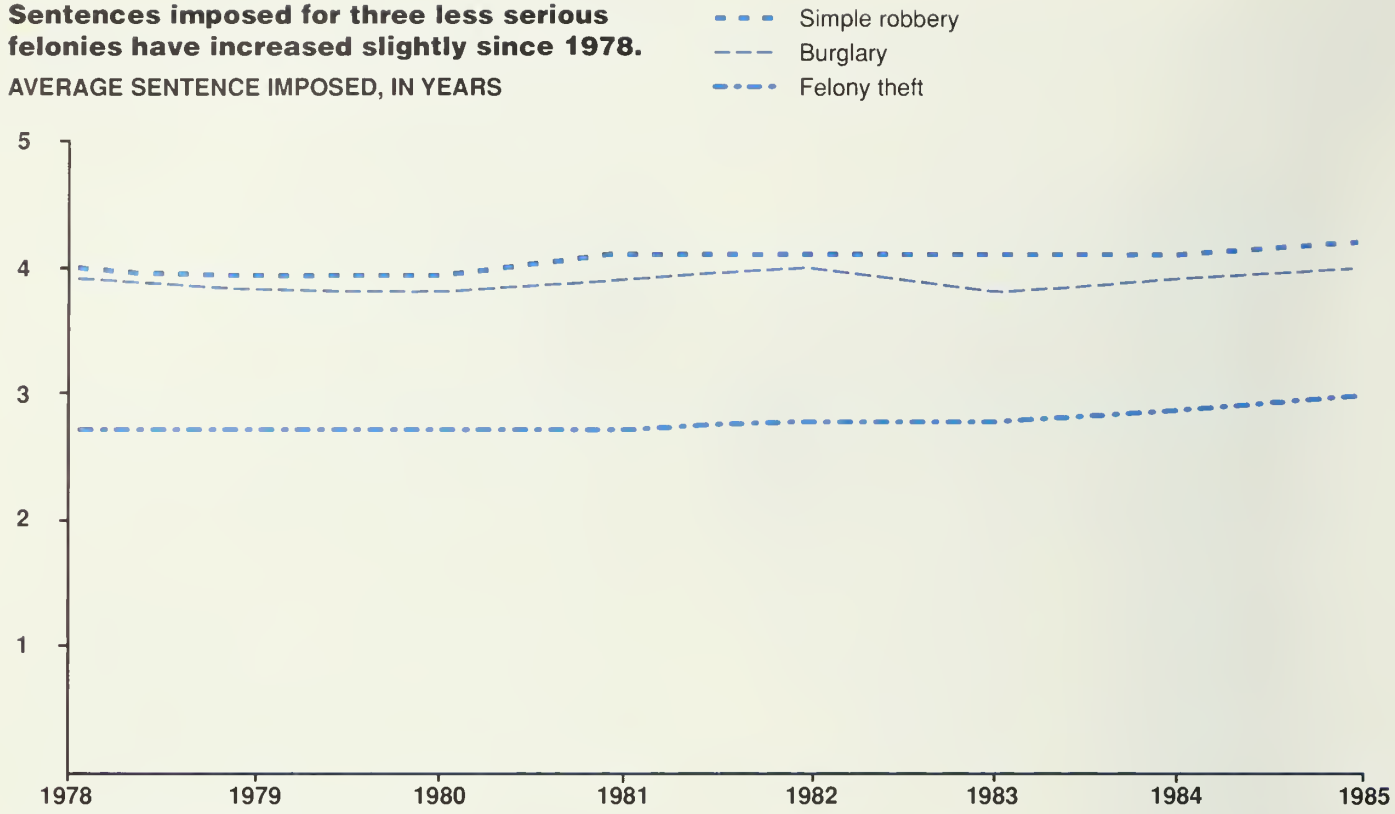
Because of this basic change in policy, sentences imposed under the determinate structure cannot be compared with indeterminate sentences. However, determinate sentences imposed for individual crimes since 1978 can be compared from year to year.

Between 1978 and 1985, the average sentence imposed by Illinois courts for three less serious felonies increased slightly — simple robbery from 4 to 4.2 years, burglary from 3.9 to 4 years, and felony theft from 2.7 to 3 years (Figure 3-23). The average sentence imposed for four more serious felonies also increased during this period (Figure 3-24). The average sentence imposed for voluntary manslaughter rose from 5 years in 1978 to 8.7 years in 1985, with much of this increase occurring after 1982, when the crime was reclassified from a Class 2 to a Class 1 felony. For rape, the average sentence imposed increased from 11 years in 1978 to 15.6 years in 1985.[23] The sentences imposed for murder (27.2 to 28.5 years) and for armed robbery (8.8 to 11.1 years) also increased during this time.

Figure 3-23.

Sentences imposed for three less serious felonies have increased slightly since 1978.

AVERAGE SENTENCE IMPOSED, IN YEARS

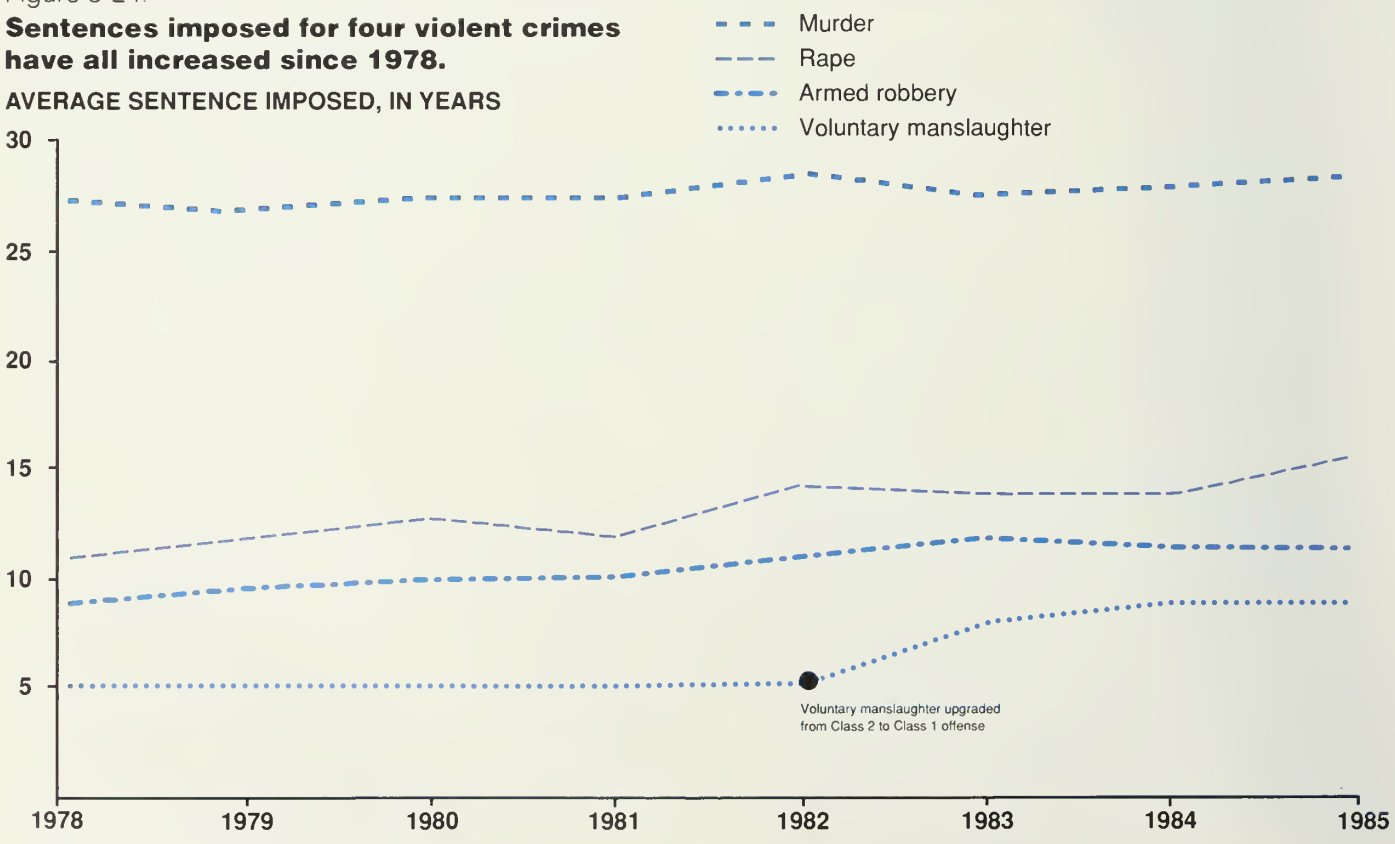


Source: Illinois Department of Corrections

Figure 3-24.

Sentences imposed for four violent crimes have all increased since 1978.

AVERAGE SENTENCE IMPOSED, IN YEARS



Source: Illinois Department of Corrections

Notes

[1] Felony defendants who plead guilty at a preliminary hearing may be sentenced by the lower-level trial court if the charges do not involve a possible prison sentence. If the charges do carry the possibility of imprisonment, the defendant must be sentenced by the higher-level trial (felony) court. When granted permission by the chief judge of the circuit, associate judges may preside over certain felony case functions as well.

[2] For more information on how the Cook County Circuit Court is organized, see Christine A. Devitt and John D. Markovic, *The Pretrial Process in Cook County: An Analysis of Bond Decisions Made in Felony Cases During 1982-83* (Chicago: Illinois Criminal Justice Information Authority, 1987).

[3] Illinois Supreme Court decisions may be appealed to the federal appellate system and ultimately to the U.S. Supreme Court. In some instances, such as habeas corpus cases, an appeal may proceed directly from the state Supreme Court to the U.S. Supreme Court.

[4] In misdemeanor cases, initial bond decisions may be made at the police station, in which case the defendants are usually released on their own recognizance. If the case is not disposed of by the time of the initial court appearance, the judge may then make a separate bond decision.

[5] Defendants who violate the conditions of their parole or mandatory supervised release, or who have outstanding arrest warrants, may also be held without bond.

[6] Ill.Rev.Stat.1985, ch. 38, par. 1401, et seq.

[7] Defendants may waive their right to a preliminary hearing. If a defendant waives this right, the case goes directly to arraignment.

[8] Ill.Rev.Stat.1985, ch. 38, par. 103-5.

[9] Ill.Rev.Stat.1985, ch. 38, par. 9-1(g).

[10] Ill.Rev.Stat.1985, ch. 38, par. 33B-1.

[11] Ill.Rev.Stat.1985, ch. 56 1/2, par. 1407.

[12] Ill.Rev.Stat.1985, ch. 56 1/2, par. 709.

[13] A court-imposed sentence of "conditional discharge" is similar to probation, except that the level of supervision of the offender is limited. Conditional discharge is a "sentence or disposition of conditional and revocable release without probationary supervision but under such conditions as may be imposed by the court" (Ill.Rev.Stat.1985, ch. 38, par. 1005-1-4).

[14] Some information about bond decisions in Cook County was available from the clerk of the Circuit Court, but it was not in a format suitable for this report. In addition, no information about the issuance of I-bonds or the denial of bond was available.

[15] Devitt and Markovic, 1987 (see note 2, above).

[16] Because of the distribution of bond amounts within each statutory offense class, the median, rather than the arithmetic mean, was used to measure typical bond amounts. The median is the midpoint in the distribution of items — in this case, the point at which 50 percent of the defendants received a higher bond amount and 50 percent received a lower bond.

[17] "Public order offenses" generally include crimes that are "victimless" or consensual, excluding drug offenses. They include, for instance, various prostitution- and gambling-related crimes.

[18] Only those offenders convicted of misdemeanor offenses are usually sentenced to county jails. However, convicted felons may also serve time in county jails under certain circumstances — for example, when incarceration is ordered in addition to another sentence such as probation or when a felon is held awaiting transfer to prison.

[19] Felony "trial dispositions" exclude those cases that were tried in felony court but resulted in misdemeanor convictions.

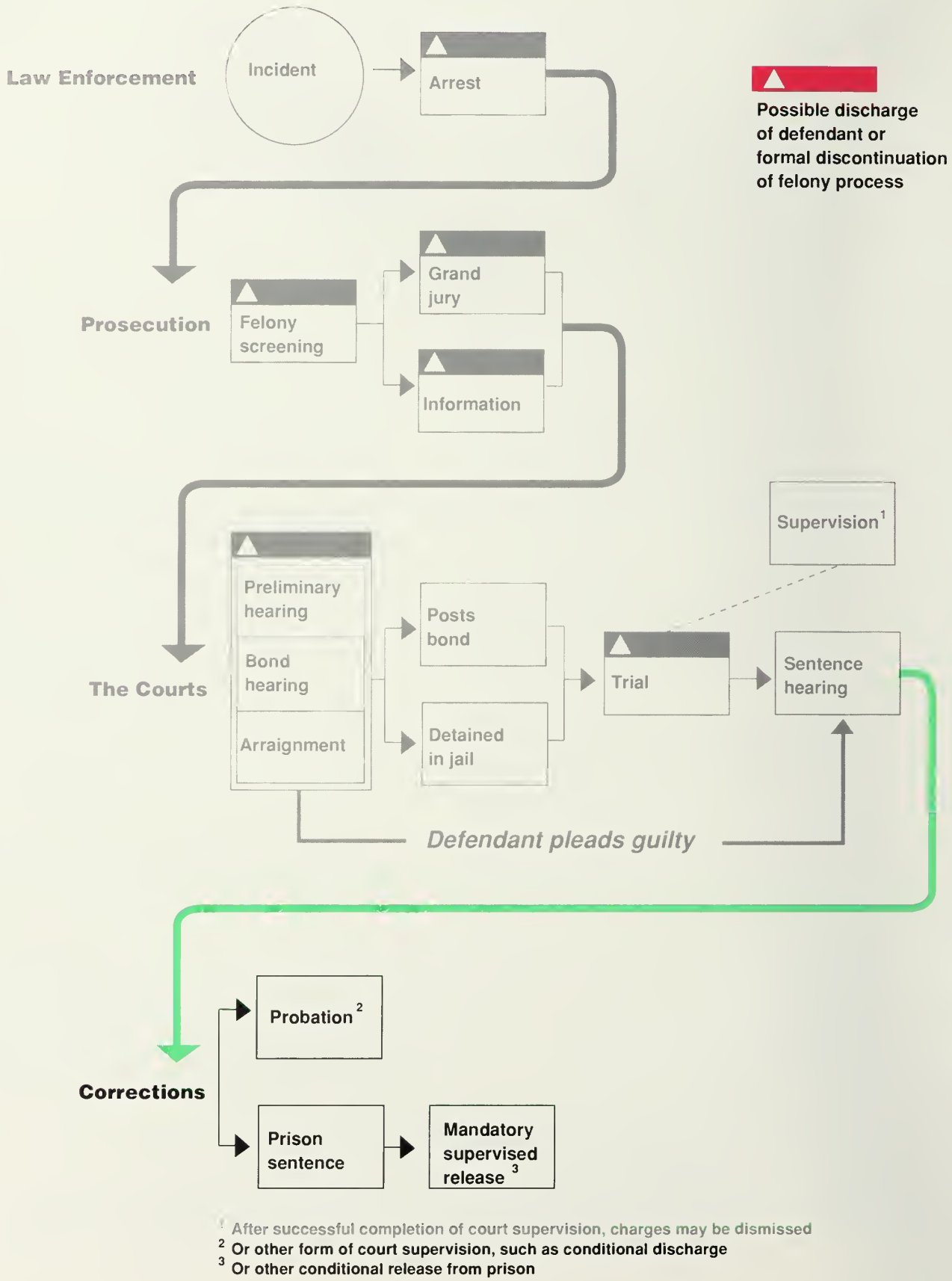
[20] For comparative purposes, only actual *felony dispositions* were counted. Excluded were a small number of cases that were resolved in felony courts, but which resulted in misdemeanor convictions.

[21] Although it cannot be entirely determined what factors influenced the increase in year-end probation caseloads, two policies implemented by AOIC in 1984 probably had some effect: a revised adult probation classification system and the Intensive Probation Supervision Program (see AOIC's 1984 *Annual Report to the Supreme Court of Illinois*, pp. 58-59).

[22] Ill.Rev.Stat.1985, ch. 38, par. 1005-5.

[23] After 1985, "rape" was subsumed under the category "aggravated sexual assault." For comparative purposes, only Class X rape sentences are included here.

An Overview of Felony Processing in Illinois



[1] After successful completion of court supervision, charges may be dismissed
[2] Or other form of court supervision, such as conditional discharge
[3] Or other conditional release from prison

CORRECTIONS

Overview

Corrections in Illinois consists of two related systems: county and municipal jails at the local level, and correctional centers at the state level. Although jails and prisons are often thought of as being the same, their purposes are quite different. Jails may house some sentenced offenders, but their primary function is to *detain adults suspected of committing crimes.* Prisons, on the other hand, are operated for the *detention and correction of adjudicated felons.* Because of their different purposes — and the corresponding diversity in the populations they house — jails and prisons in Illinois each face a unique set of problems. However, other problems — crowding, lack of facilities, aging of facilities, security concerns, and budgetary constraints — are common to both.

This chapter focuses primarily on trends and issues in the state's adult prison system. Specifically, the chapter examines the operations of the Illinois Department of Corrections (IDOC) as it manages a growing population of the most serious criminals in the state — convicted felons. The chapter also discusses the role of jails in Illinois and the critical population problems they face. The correctional system for juveniles, which IDOC also operates, is covered in Chapter 5.

HOW ARE JAILS ORGANIZED IN ILLINOIS?

Illinois' jails are organized on both the county and municipal levels. During state fiscal year 1986,[1] 95 of the state's 102 counties operated a county jail. One of these facilities, the Cook County Jail, is among the largest single-site detention facilities in the United States. There were also 288 active municipal facilities in the state at the end of fiscal 1986. During that year, more than 335,100 adults and juveniles were processed through county and municipal jails in Illinois.

County and municipal jails are primarily responsible for housing and managing "pretrial detainees" — persons suspected of or charged with a crime who either were denied bond or could not meet the bond amount that was set. Jails in Illinois also house convicted misdemeanants (those offenders sentenced to less than one year of incarceration) and convicted felons awaiting transfer to state prison. The number of these inmates, however, is much smaller than the population of pretrial detainees.

This combination of both convicted offenders and persons who have yet to be tried further complicates the already diverse population mix of Illinois jails. These facilities must house violent offenders and suspects separately from non-violent ones, males separately from females, and adults separately from juveniles. In addition, jails must respond to medical problems, substance addictions, and suicidal tendencies among their inmates.

While specific programs vary from facility to facility, each of the 95 county jails in Illinois offered counseling and religious services during fiscal 1986. Library services were available in 94 percent of the county jails, work release existed in 80 percent of them, and recreational programs (defined as out-of-cell activities) were available in 73 percent.

The Detention Standards and Services Section of IDOC establishes both minimum standards for the physical condition of county and municipal jails and jail standards that promote the health, safety, and security of the community. IDOC publishes these standards to ensure that all jails in Illinois operate within constitutional bounds. In addition, the department annually inspects all detention facilities in the state to record compliance with its standards.

HOW IS THE ILLINOIS DEPARTMENT OF CORRECTIONS ORGANIZED?

IDOC is responsible for providing for the care, custody, and treatment of all persons sent to state prison, including both newly sentenced offenders and offenders returned to prison for violating the conditions of their release. IDOC's mission is to "protect the public from criminal offenders through incarceration, supervision, programs and services designed to return appropriate offenders to the community with skills and attitudes that will help them become useful and productive citizens."[2] The department's job is really twofold: to ensure public safety through the incarceration and supervision of offenders and to meet the basic needs of inmates in its custody.

IDOC is led by the state director of corrections, a cabinet officer appointed by the Governor with the advice and consent of the Illinois Senate. The department is organized into three divisions, three support bureaus, and three advisory boards:

- **Division of Adult Institutions.** Provides custody for, meets the basic needs of, and offers program opportunities to all adults sentenced to prison by the courts and to all violators of release conditions who are returned to prison.
- **Community Services Division.** Monitors those offenders conditionally released from state correctional facilities to ensure the safety of the community and to help former inmates become productive citizens.
- **Juvenile Division.** Provides care, custody, rehabilitative programs, and after-care services for all juveniles committed to IDOC by the courts.
- **Bureau of Administration and Planning.** Oversees the administration and financial management of the department.
- **Bureau of Inspections and Audits.** Assesses IDOC operations and oversees the department's business practices.
- **Bureau of Employee and Inmate Services.** Handles personnel matters, labor relations, affirmative action issues, inmate and employee grievances, legal services, employee training, and department policies and directives.
- **Adult, Juvenile, and School advisory boards.** Advise the department on a variety of specialized policies and programs.

As of June 30, 1986, IDOC had more than 10,000 employees, making it one of the largest employers in Illinois government. More than 7,900 of the department's employees worked in state correctional facilities, either as correctional officers or as professional or support personnel. At the end of fiscal 1986, IDOC was responsible for approximately 32,000 persons in its custody.

Historically, the majority of adults under IDOC jurisdiction have been offenders confined to state prison. In fiscal 1986, for example, 58 percent of the adults in IDOC custody were inmates in adult institutions. The department operates four maximum-, nine medium- (including one coed facility), and four minimum-security institutions; one all-security prison for women;[3] one psychiatric unit, at the Menard Correctional Center; two prison farms; and seven work camps (Figure 4-1). In addition, two more medium-security institutions, at Mount Sterling and Canton, are planned.

Some offenders in IDOC custody are held in one of the 15 community correctional centers the department either operates directly or uses on a contractual basis. These centers offer selected low-risk inmates the opportunity to make the transition from institutional life to the community through a structured, intermediate step.

HOW DOES IDOC PROCESS OFFENDERS SENTENCED TO STATE PRISON?

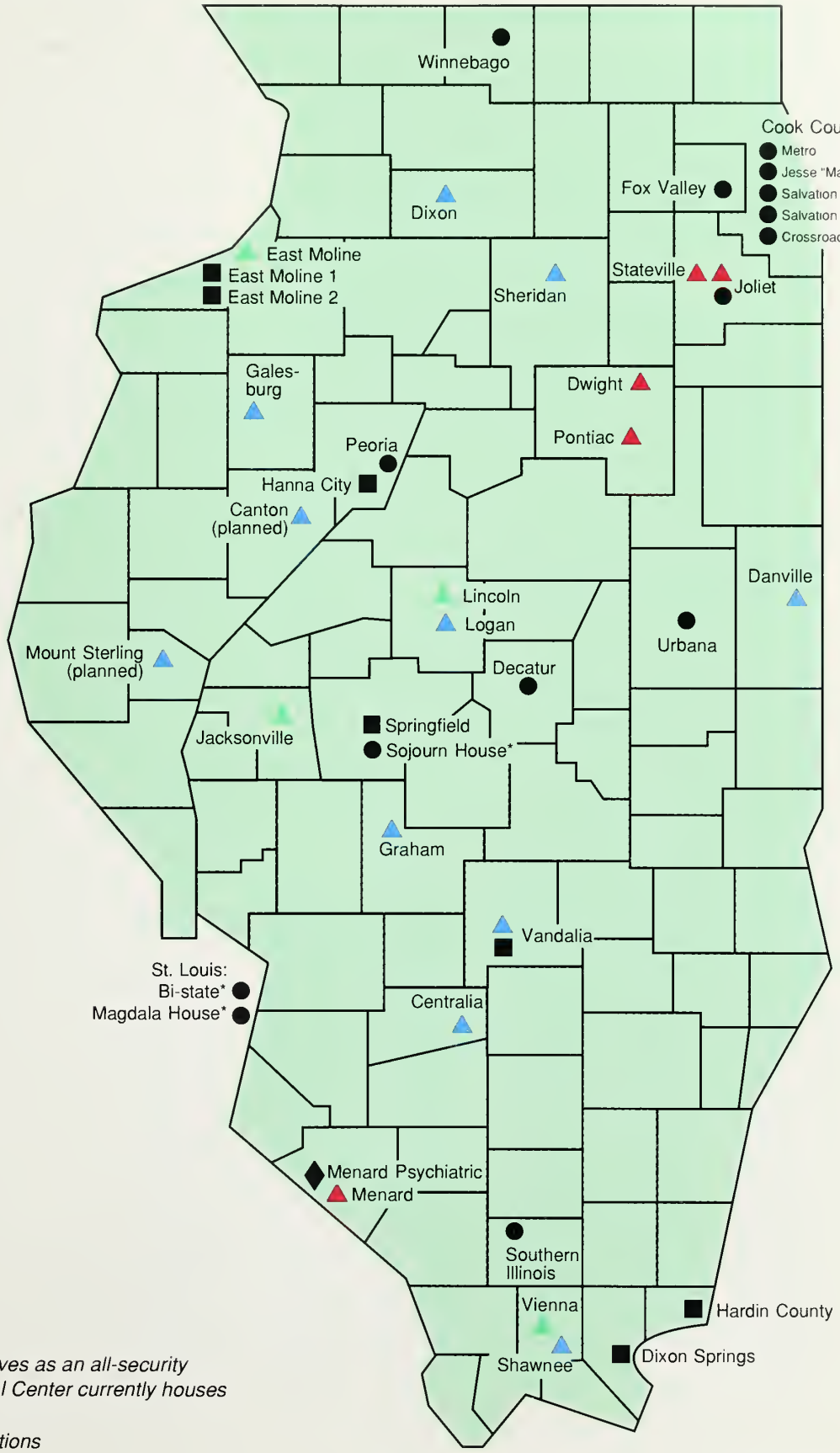
After they have been sentenced to prison by the courts, newly convicted offenders (or former inmates who have violated the conditions of their release) are transferred from a county jail to one of four IDOC reception and classification centers. Approximately 60 percent of all IDOC prisoners are processed at the reception and classification center at the Joliet Correctional Center. The remaining male inmates are processed at the Graham or Menard correctional centers, and all female prisoners are processed at the Dwight Correctional Center.

The reception and classification process usually takes from one to 10 days. During this time, inmates' identities are verified; their money and other personal property are surrendered and inventoried; their medical, psychological, educational, and vocational backgrounds are evaluated; and they are given physical examinations. IDOC then uses a classification system it developed to match the characteristics and needs of inmates with appropriate security levels, supervision, and available programs. On this basis, IDOC determines the institution to which each offender will be assigned.

Once housed in prison, many inmates are given assignments, the majority of which involve jobs within their institutions. Correctional Industries, a self-supporting division of IDOC, also operates manufacturing, service, and agricultural work programs in several correctional centers. In addition, some prisoners may

Figure 4-1.

Illinois has 18 maximum–, medium–, and minimum–security prisons.



▲ Maximum–security prison
▲ Medium–security prison
▲ Minimum–security prison

● Community correctional center (*Contractual bed space)

■ Work camp

◆ Psychiatric unit

Note: Dwight Correctional Center serves as an all-security facility for women. Logan Correctional Center currently houses both men and women.

Source: Illinois Department of Corrections

choose to participate in vocational or academic training.

At least once a year, each prisoner is given a reclassification review to evaluate the suitability of the inmate's security classification. A standard scoring system developed by IDOC is used to assess the inmate's behavior in prison and to determine whether the prisoner should be reclassified. Inmates who are reclassified may be assigned to a different institution, have their security grade within the same institution changed, or receive new program assignments. This reclassification process is also needed to allocate space at recently constructed medium- and minimum-security institutions.[4]

WHEN ARE INMATES RELEASED BY IDOC?

Under Illinois' current sentencing system, known as "determinate sentencing," offenders are held in prison for a set number of years, although they can earn one day of good-conduct credit for each day they spend in prison and a one-time credit of 90 days. In other words, each inmate now serves a minimum of approximately one-half the sentence imposed by the courts, if all good-conduct credits are earned.

After they are released from prison, offenders who serve determinate sentences remain under IDOC jurisdiction for a fixed period of time through a system called mandatory supervised release (MSR). MSR is similar to parole, which was abolished under determinate sentencing. Offenders on MSR may be required to follow specific conditions — alcohol or drug counseling, restrictions on their movement, etc. — for a period of time determined by the statutory class of the offense they were convicted of.

Offenders who violate the conditions of their release, called "felony defaulters," may be sent back to prison to complete their original sentences. Offenders who do not violate their MSR conditions for the required time period are discharged from IDOC supervision.

The Data

The Illinois Department of Corrections (IDOC) is the source of most of the data in this chapter. Much of the information comes from IDOC publications, although some statistics, such as prison population numbers, were collected from unpublished IDOC sources. Six main IDOC publications were used:

1) *Adult Correctional Center Capacity Survey* (1986).
2) *Department of Corrections Annual Report* (fiscal 1985).
3) *Human Services Data Plan* (fiscal 1985-1987).
4) *Human Services Data Report* (fiscal 1984-1986).
5) *Jail and Detention Statistics and Information* (1981-1986).
6) *Statistical Presentation* (1985).

Where appropriate, data from other sources were also used. For example, death-row statistics came from the American Civil Liberties Union, and recidivism data were derived from the Authority's Repeat Offender Project. Information about parole, the revocation of offenders' release, and executive clemency was gathered from the annual reports of the Illinois Prisoner Review Board. The John Howard Association and various publications provided background data as well.

All prison population, admission, and release statistics are end-of-month figures averaged over each calendar year. Demographic data about prison inmates are counts made on June 30, the end of the state fiscal year.

Trends and Issues

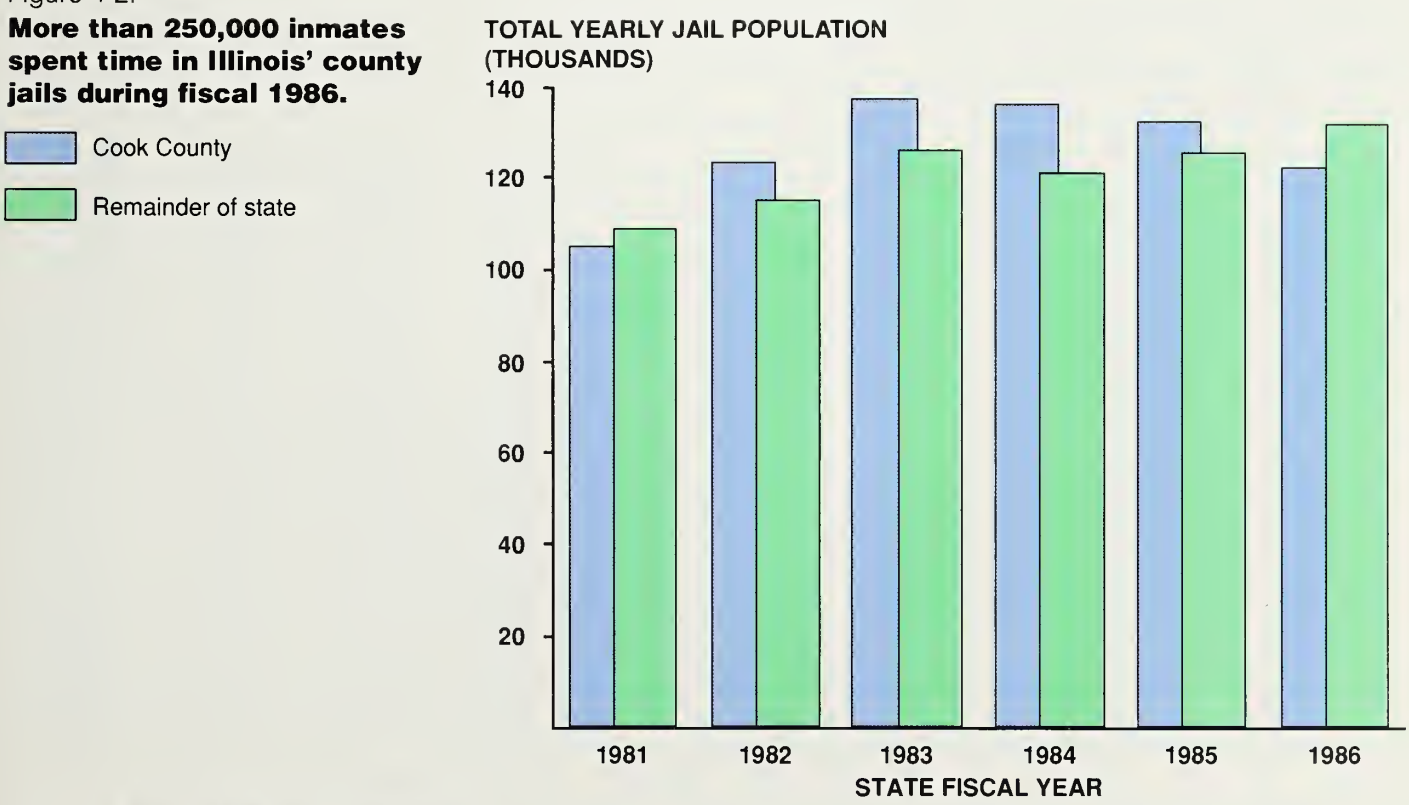
A growing inmate population is one of the main problems facing correctional managers at both the local and state levels in Illinois. In recent years, jails and prisons alike have experienced significant increases in the number of inmates they must house and manage. For example, the number of inmates processed through county jails in Illinois has grown by 40,000 since 1981. Similarly, Illinois' adult prison population more than doubled in the last 10 years, and is now approaching 20,000 inmates for the first time.

What factors have contributed to the growth in jail and prison populations? How have counties and the state responded? What are the characteristics of today's prisoners? Will the state's prison population continue to expand into the 1990s? The remainder of this chapter examines these and other issues concerning Illinois' changing correctional system.

HOW HAS ILLINOIS' JAIL POPULATION CHANGED IN RECENT YEARS?

Between state fiscal years 1981 and 1983, the yearly jail population — the total number of inmates who occupied jail space during the year — increased 30 percent in Cook County and 16 percent in the remainder of Illinois (Figure 4-2). Over the next three years, however, Cook County's yearly jail population decreased steadily from about 137,000 in fiscal 1983 to approximately 122,000 in fiscal 1986, a decrease that most likely resulted from a court-imposed population cap at the jail. During the same time, the yearly population of the state's other jails fluctuated, but still increased from about 126,000 inmates in fiscal 1983 to nearly 132,000 in fiscal 1986. As a result, for the first time since 1981, the number of inmates who spent time in Cook County Jail in fiscal 1986 was less than the number who spent time in the state's

Figure 4-2.
More than 250,000 inmates spent time in Illinois' county jails during fiscal 1986.



Source: Illinois Department of Corrections

other county jails combined.

Throughout this period, however, the *average daily population* of Cook County Jail remained higher than the average daily population of the county jails in the rest of Illinois (Figure 4-3). In addition, Cook County Jail inmates spent, on the average, more days in jail (15 in fiscal 1986) than did inmates in the state's other county jails (10 days in fiscal 1986). In other words, on any given day during the past six years, more inmates — serving more days in custody — were housed in Cook County Jail than in all the other county jails in the state combined.

WHY HAVE JAIL POPULATIONS INCREASED?

Many factors probably contributed to recent increases in the population of Illinois' county jails. One of these was a 1983 change in state law that required all convicted misdemeanants to serve their sentences locally rather than in the state prison system. This change in policy was largely designed to help control Illinois' growing prison population. However, as their jail populations grew, many counties were faced with similar problems — a lack of jail capacity and a shortage of funds to address the problem.

Since fiscal 1983, the percentage of sentenced offenders in the average daily population of county jails outside Cook County rose 5 percent. In fiscal 1986, 13 percent of Cook County Jail inmates, and 27 percent of the inmates in all the other county jails combined, were sentenced offenders (Figure 4-4).

HOW DID COOK COUNTY RESPOND TO ITS GROWING JAIL POPULATION?

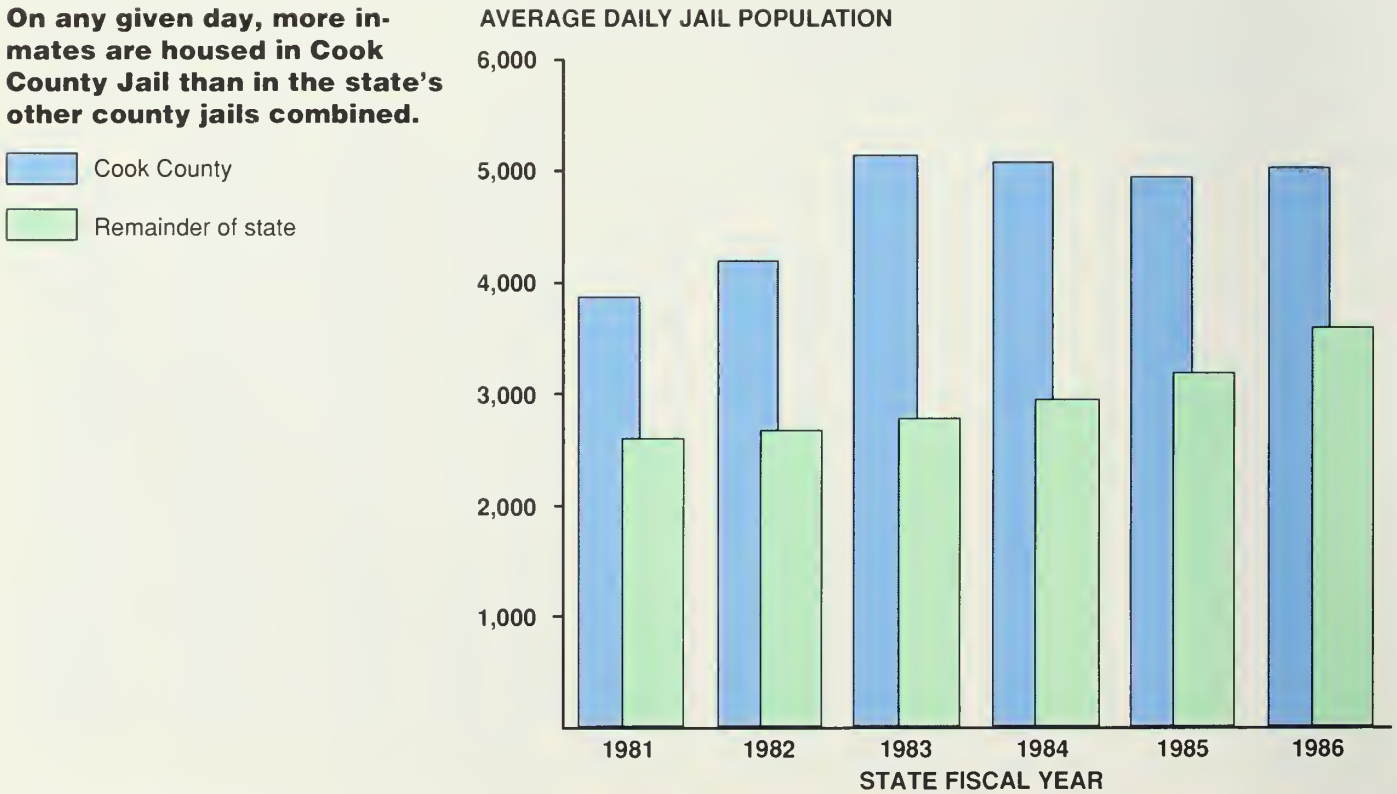
As the largest jail in Illinois, Cook County Jail was particularly affected by the growth in inmate population. Between state fiscal years 1981 and 1983, the average daily population of Cook County Jail increased by more than 1,250 inmates, to 5,123. After fiscal 1983, the daily population stabilized at about 5,000, with each inmate spending an average of 15 days in custody. In fiscal 1981, the average length of stay was about 13 days.

Increases in Cook County Jail's population — and the crowding that ensued — were curbed somewhat by a federal court order imposing a population ceiling of 4,500 inmates. To comply with the order, the jail instituted a release-on-recognizance program. Under this program, pretrial detainees charged with misdemeanors, as well as other detainees with relatively low ($100-$400) bonds, were released on their own recognizance. To avoid violating the court order, Cook County Jail released approximately 11,000 inmates during 1983. By April 1984, the jail's population hovered at 4,500.

In 1986, it became necessary for the jail to resume the release-on-recognizance program to comply with that

Figure 4-3.

On any given day, more inmates are housed in Cook County Jail than in the state's other county jails combined.

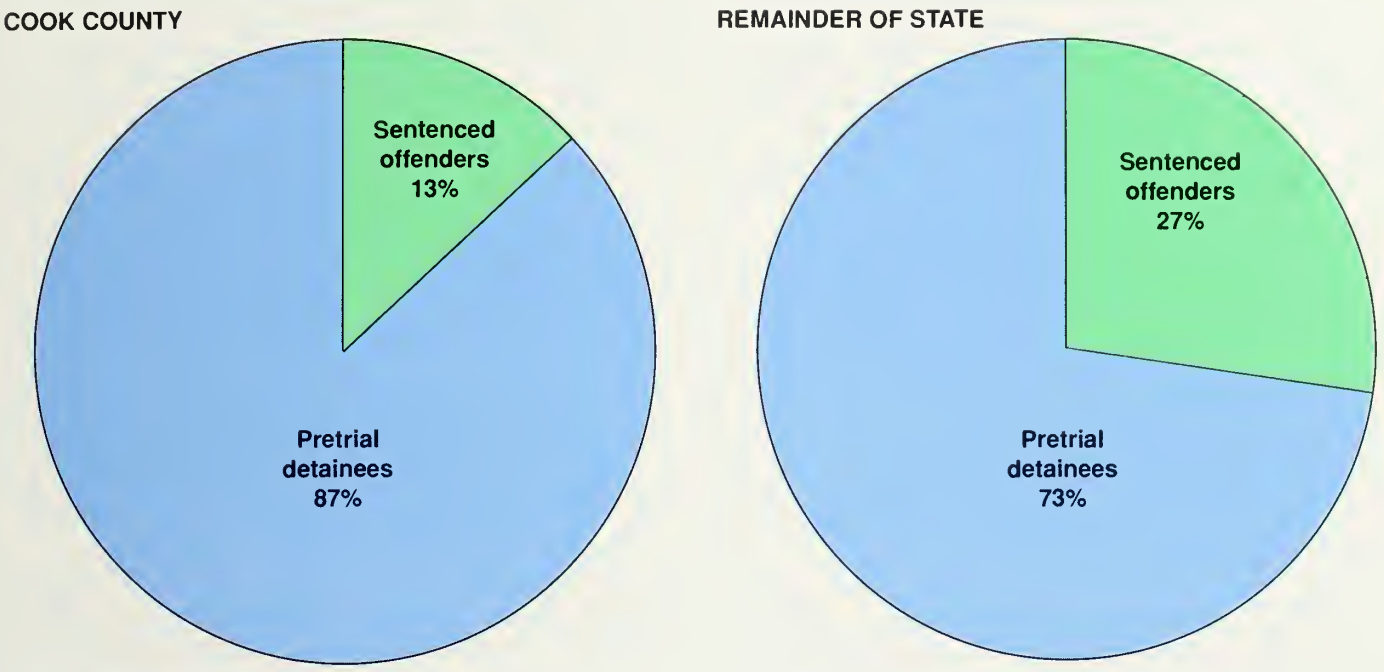


Source: Illinois Department of Corrections

Figure 4-4.

More than one-quarter of the jail inmates outside Cook County are sentenced offenders.

PERCENTAGE OF AVERAGE DAILY POPULATION, FISCAL 1986



Source: Illinois Department of Corrections

part of the federal order which mandates a bed for each jail inmate. By the end of 1986, approximately 1,200 persons had been released from the jail's receiving room.

Despite a $150 million construction project undertaken in the early 1970s to expand and modernize Cook County Jail, and the more recent addition of 500 beds in 1985, the facility continues to have an inmate population level that threatens to exceed its court-ordered capacity. Other measures have been implemented in recent years to control the number of jail inmates. For example, efforts have been initiated with other criminal justice agencies in the county (particularly law enforcement agencies and the state's attorney's office) to expedite and streamline the adjudication process. Also in January 1987, jail inmates throughout the state began earning one day of good-conduct credit for each day they spend in jail; previously, jail inmates could earn only six days of good time for each month they served. The effects of these and other measures on crowding at Cook County Jail will need to be assessed in the future, as will the issue of jail crowding throughout the state.

HOW DID ILLINOIS' PRISON POPULATION CHANGE DURING THE LAST FIVE DECADES?

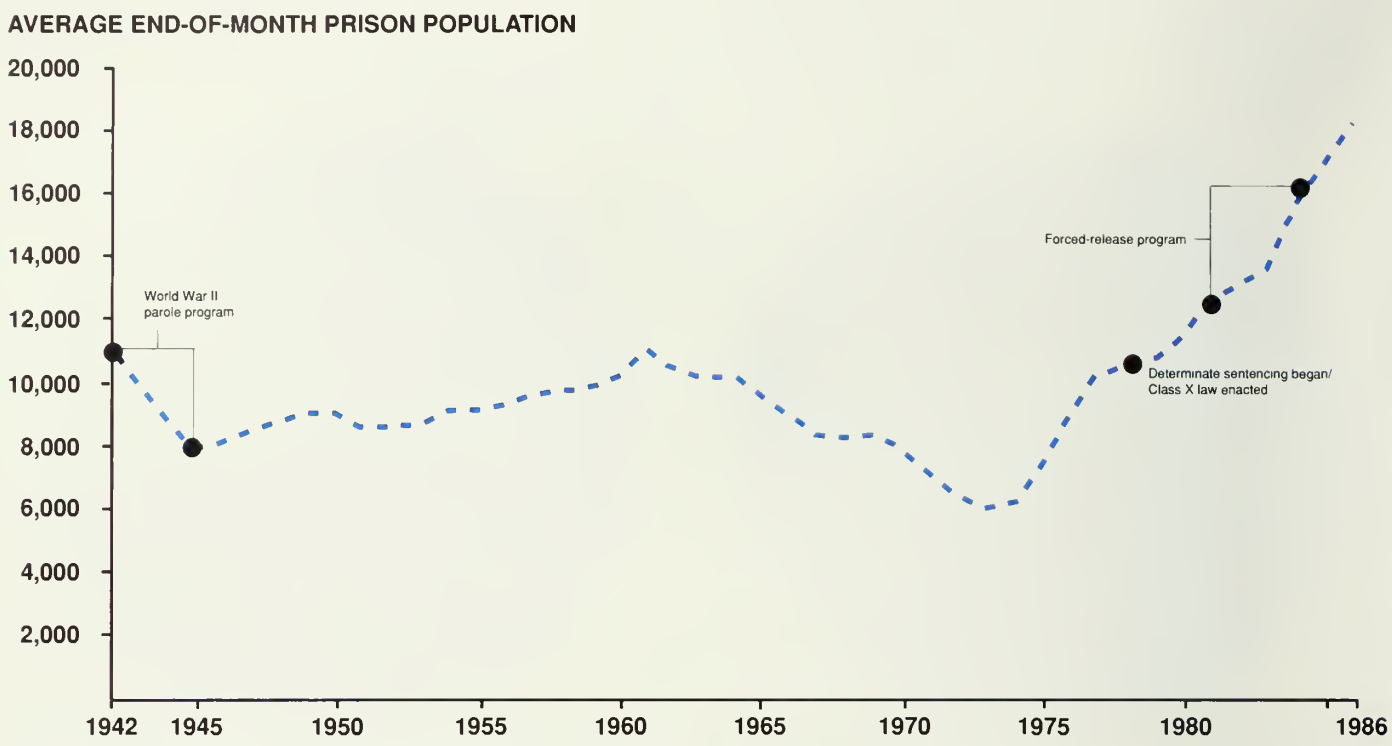
In the early 1940s there were nearly 11,000 inmates in Illinois prisons (Figure 4-5). During World War II, however, the number of prisoners declined sharply for two reasons: a decrease in prison admissions (mostly the result of more men entering the military) and a surge in the number of people released from prison (largely because of a special parole program that allowed 3,300 male inmates to leave prison and join the armed forces).

After the war and through the 1950s, the state's prison population began to increase slowly toward the levels of the early 1940s until, in 1961, it reached the 1942 level once again. The IDOC population then decreased over the next 12 years, reaching a low of about 6,000 inmates in 1973. This decline was largely a product of the times, as correctional policymakers nationwide began to emphasize programs that diverted offenders from prison and toward community-based treatment facilities.[5] During this period, imprisonment was viewed largely as a last resort for many offenders, and alternatives to traditional incarceration were encouraged.

By 1980, crime rates began to increase, as did resources for the criminal justice system. That year, the state's prison population surpassed the 1942 and 1961 marks — and continued to grow at an unprecedented pace. The average end-of-month prison population exceeded 13,000 in 1982, 15,000 two years later, and 18,000 in 1986.

Today's record prison population includes not

Figure 4-5.
Illinois' prison population has increased dramatically since 1973.



Source: Authority edition, Illinois Department of Corrections data

only more male inmates but also an increasing, albeit relatively small, number of female prisoners. Although women still account for less than 5 percent of the nation's prison population, the number of women in prison has increased at a rate double that of men in the last five years. In 1961, women accounted for about 3 percent of IDOC's total population, then about 11,000 prisoners. In 1986, when the state had 7,000 more inmates, women made up 5 percent of all prisoners.

To house the growing number of female prisoners, IDOC in February 1987 began placing a small number of women in the previously all-male Logan Correctional Center. This marked the first time since the mid-1970s that Illinois operated a coed prison, and Logan is now one of the nation's only coed medium-security prisons.

WHY THE DRAMATIC INCREASE IN ILLINOIS' PRISON POPULATION?

Three elements affect prison population: the current number of inmates, the number of offenders entering prison, and the number leaving prison. The recent surge in Illinois' prison population is related to many factors, including legislative, administrative, and judicial changes. Two changes in particular spurred this population explosion:

1) **Determinate sentencing.** In February 1978, Illinois instituted a determinate, or "flat-time," sentencing structure. Under this system, offenders are sentenced to a fixed number of years in prison. Sentences can be reduced through two types of good-conduct credits: one day off for each day in prison, plus one block of 90 days meritorious good time. In other words, an offender who accrues all eligible good-conduct credits will serve approximately half of the imposed sentence. The ability to gauge approximate length of stay differentiates determinate sentencing from indeterminate sentencing.

After being released from an institution, offenders who receive determinate sentences remain under IDOC jurisdiction through a system called mandatory supervised release (MSR). Like those offenders who received parole under the previous indeterminate sentencing structure, offenders under MSR have specific restrictions on their release, and if these restrictions are violated, the offenders risk being recommitted to prison. Under determinate sentencing, inmates are expected to spend longer times in prison for more serious offenses than did offenders for comparable crimes under indeterminate sentencing.

2) **Class X crimes.** Also in 1978, Illinois lawmakers created a new class of felony offenses — Class X. Class X offenses include such serious crimes as attempted murder, armed robbery, and aggravated criminal sexual assault. The most significant effect of the law, in terms of the state's prison population, is that Class X offenders are not eligible for alternative sentences such as probation or conditional discharge. Instead, all Class X criminals must serve time in prison.

These two policies have been at least partially responsible for the unprecedented growth in Illinois' prison population since the late 1970s. In 1978, when the two policies were implemented, the average end-of-month population was about 10,600 inmates. Eight years later, it had increased more than 73 percent, to nearly 18,400 prisoners.

HOW DO ADMISSIONS AND RELEASES AFFECT THE PRISON POPULATION?

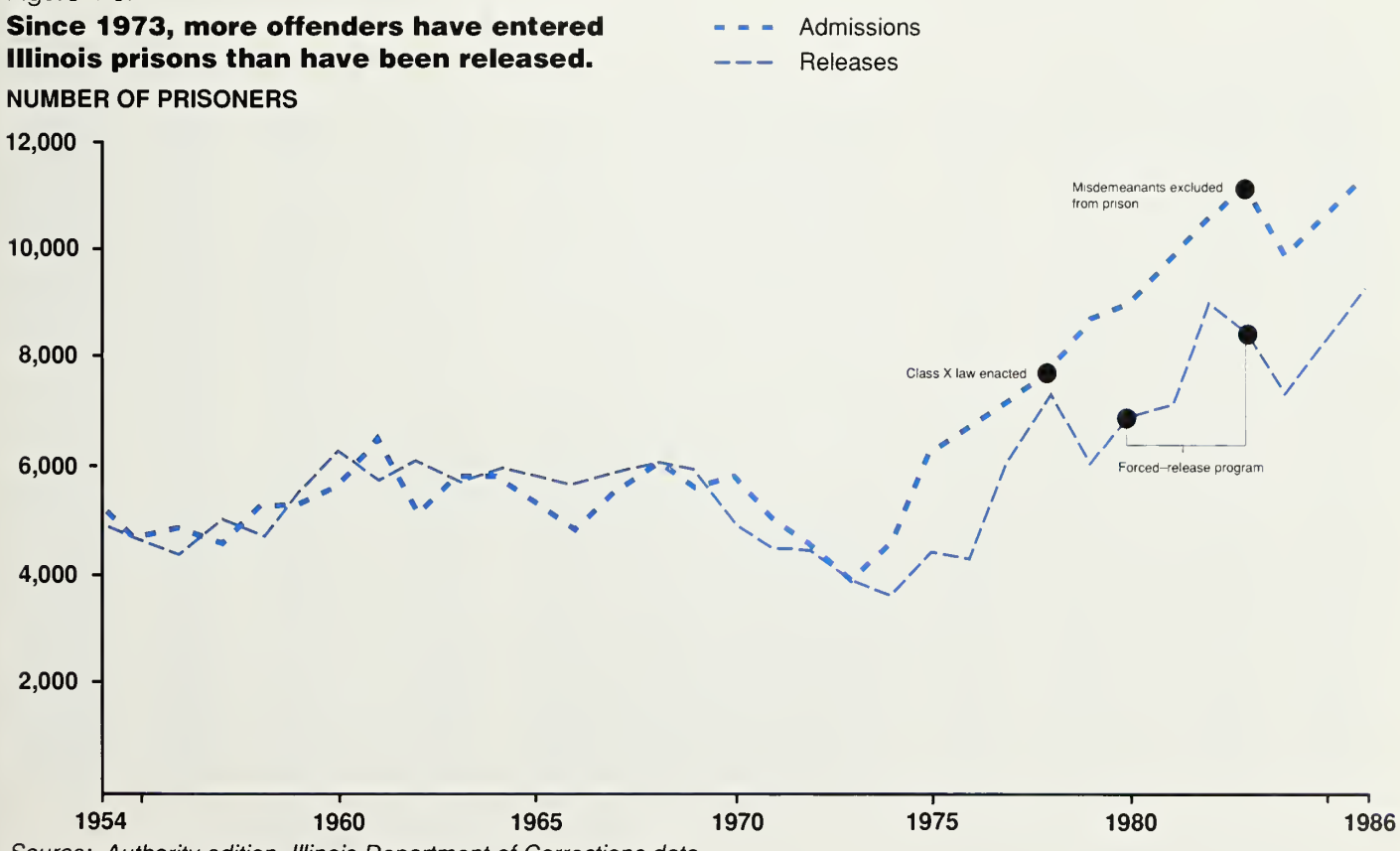
Any prison population is influenced by the rate at which offenders enter and leave the prison system. If the number of inmates coming into correctional facilities outpaces the number exiting them, the prison population grows. As Illinois' total prison population has increased substantially in recent years, so has the number of both admissions and releases.[6]

Between 1954 and 1973, the number of offenders entering prison in Illinois exceeded 6,000 per year only once — in 1961 (Figure 4-6). In 1973, the number of admissions dipped below 4,000. Since then, however, admissions have increased dramatically, fueled in part by enactment of the state's Class X law, which mandates a prison sentence for certain serious crimes. In 1980, the number of admissions reached almost 9,000, and in 1983 it exceeded 11,000. The number of admissions to IDOC dropped in 1984 to less than 9,800, but over the next two years, the number increased again to a record 11,328 admissions in 1986.

The number of inmates released from Illinois prisons generally followed the pattern of admissions during the 1950s, 1960s, and early 1970s. Between 1954 and 1974, the number of releases per year ranged from a low of about 3,500 in 1974 to a high of almost 6,250 in 1960. After 1974, releases began to increase. They reached almost 9,000 in 1982 and still exceeded 8,000 in both 1983 and 1985. In 1986, a record 9,240 inmates were released.

Part of the increase in releases was the result of the state's forced-release program, which was a tool to control crowding in state prisons. Under this program, which began in June 1980, the director of corrections awarded multiple 90-day increments of meritorious good

Figure 4-6.
Since 1973, more offenders have entered Illinois prisons than have been released.



Source: Authority edition, Illinois Department of Corrections data

time to certain inmates, usually those convicted of non-violent crimes. This time was given in addition to the regular, day-for-day good-conduct credits that all inmates can earn. Forced-release made many inmates eligible for release sooner than they would have been without the extra good time. In July 1983, however, the Illinois Supreme Court invalidated the program. The Court ruled that state law allows the corrections director to award only one 90-day increment of meritorious good time to each inmate, not the multiple awards that were being given out.

During the three years the forced-release program was in effect, more than 10,000 prisoners were released early. Even so, admissions continued to outpace releases by more than 2,000 inmates in most years (keep in mind, however, that releases were undercounted after 1969 — see note 6). In other words, despite efforts to lower the prison population by excluding misdemeanants from prison and to increase releases through forced-release, Illinois' prison population continued to grow.

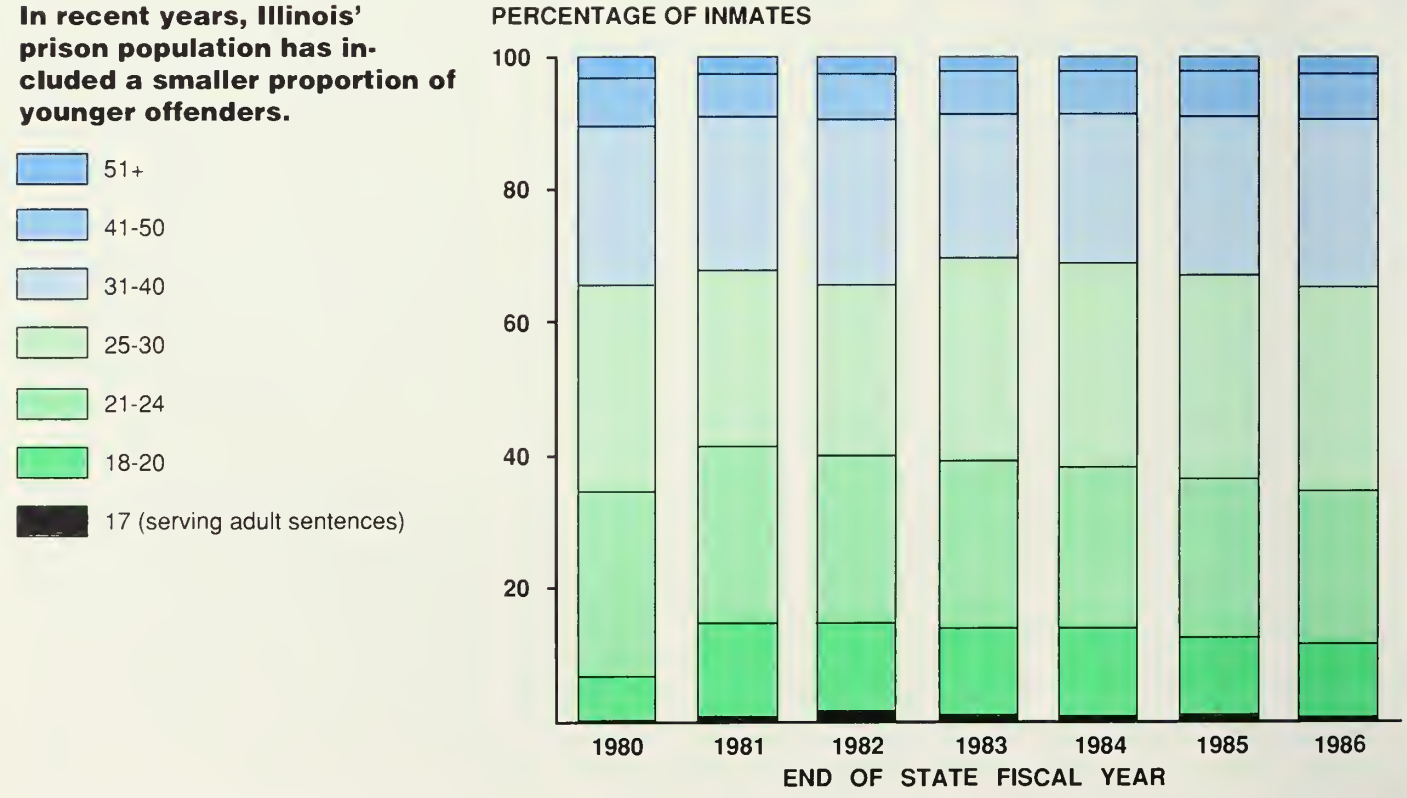
HAS THE DEMOGRAPHIC PROFILE OF ILLINOIS PRISON INMATES CHANGED?

Although Illinois is now incarcerating more offenders, the demographic makeup of the inmate population has not changed substantially since 1980. For example, the age distribution of prisoners has remained fairly consistent, although the proportion of younger inmates has decreased somewhat in recent years (Figure 4-7). Between June 1981 and June 1986, the proportion of inmates aged 18 to 24 declined about 6 percent, while the proportion of 25- to 40-year-old prisoners increased 7 percent. This aging trend is likely to continue in the future, for regardless of the age of offenders who will enter prison in the coming years, the age distribution of the prison population will likely include more older inmates as current prisoners serving determinate sentences for serious crimes remain in custody later into their lives.

Despite this gradual aging of the inmate population, a disproportionate number of people aged 18 to 30 are incarcerated in Illinois prisons. In June 1986, when 18- to 30-year-olds made up about 30 percent of Illinois' 17-and-older population, they accounted for about 65 percent of the state's prisoners (Figure 4-8). During the six previous years, inmates aged 18 to 30 consistently accounted for about two-thirds of Illinois' prison population.

The racial composition of Illinois prisons was much the same in June 1986 as it was in June 1980. During this time, blacks made up about 60 percent of all inmates, followed by whites, Hispanics, and members of other racial groups (Figure 4-9). There were two modest changes during this period, however. The proportion of inmates who were white fell from nearly 40 percent in

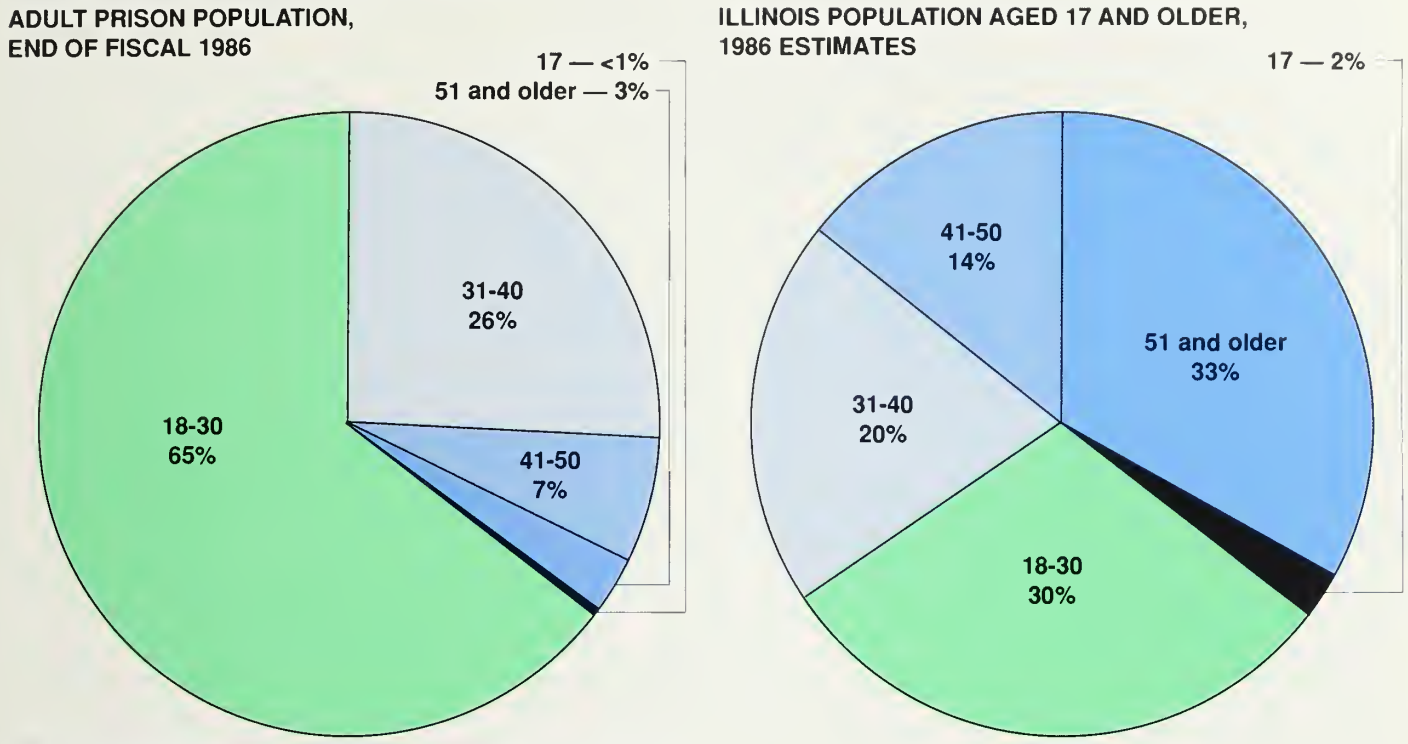
Figure 4-7.
In recent years, Illinois' prison population has included a smaller proportion of younger offenders.



Source: Illinois Department of Corrections

Figure 4-8.

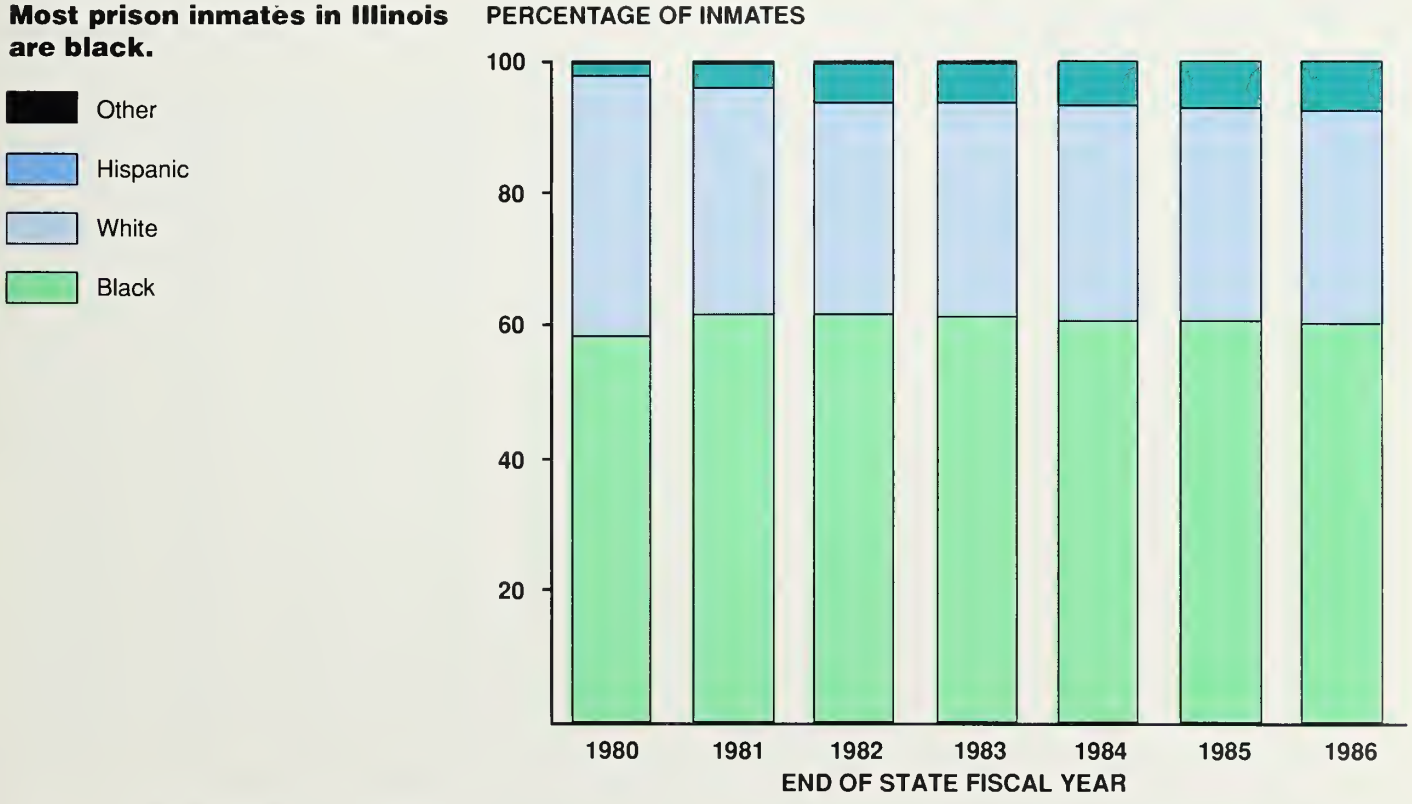
A disproportionately high number of 18– to 30–year–olds are imprisoned in Illinois.



Note: Percentages do not add up to 100 because of rounding.
Source: Illinois Department of Corrections; U.S. Census Bureau

Figure 4-9.

Most prison inmates in Illinois are black.



Source: Illinois Department of Corrections

1980 to 32 percent in 1986. Meanwhile, the proportion of Hispanic prisoners grew from less than 2 percent in 1980 to about 8 percent six years later. It is unclear, however, if the increase in Hispanic prisoners — and the corresponding decrease in white prisoners — represent changes in the racial makeup of the inmate population or if they merely reflect changes in IDOC reporting practices.

Because the U.S. Census Bureau and IDOC use different definitions of race and ethnicity, the racial composition of Illinois' prisons could not be compared with that of the state's overall population. Clearly, however, a disproportionately high number of blacks are incarcerated in Illinois, just as minorities tend to be overrepresented in correctional facilities across the nation.[7]

IS ILLINOIS INCARCERATING THE MOST SERIOUS OFFENDERS?

Determinate sentencing and Class X not only contributed to an increase in the *number* of prisoners in Illinois, but also slowed the *pace* at which the most serious offenders move through the prison system. The result has been a concentration of very serious offenders in the state's prison population.

Offenders incarcerated for the most serious crimes — murder, Class X felonies, and Class 1 felonies — made up slightly more than one-third of all prisoners in June 1977 and approximately one-half three years later. Since June 1983, however, these most serious offenders have accounted for two-thirds of the state's prison population (Figure 4-10). This trend, in turn, has created additional security, capacity, and programmatic concerns for IDOC.

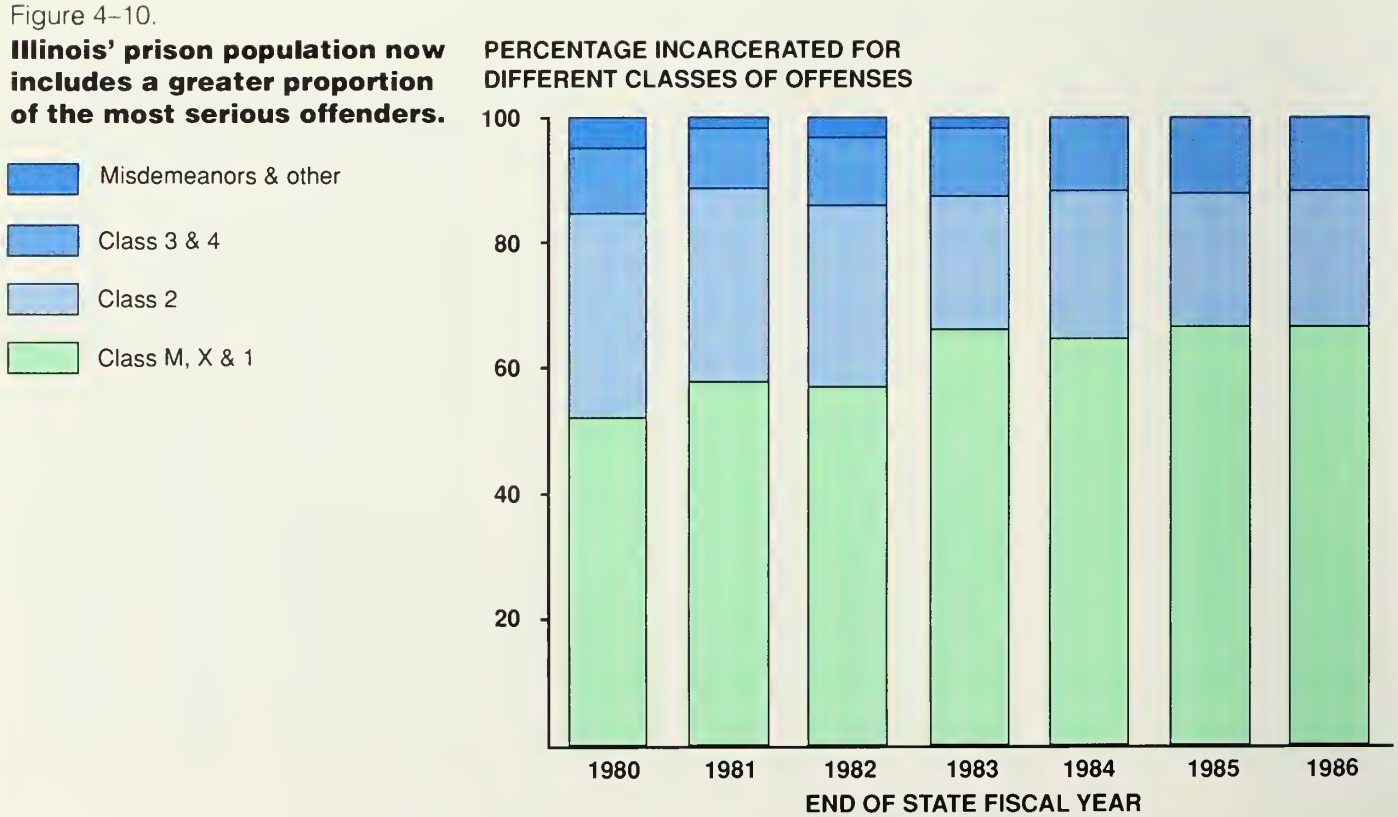
ARE OFFENDERS IN ILLINOIS SERVING LONGER PRISON SENTENCES?

Illinois' determinate sentencing law was designed, among other things, to increase prison sentences for offenders convicted of the most serious crimes. Inmates released from prison since the law took effect in 1978 include some who completed relatively short determinate sentences and some who served relatively long indeterminate sentences. In recent years, however, the transition to a population of prisoners serving determinate sentences has been nearly complete. The proportion of released prisoners who served determinate sentences grew from about 3 percent of all releases in 1978 to 99 percent in 1986 (Figure 4-11).

Determinate sentencing already appears to have affected the average length of stay for inmates who served time for the relatively less serious Class 3 and Class 4 felonies.[8] The average length of stay for these offenders fell from more than two years for those released in 1978 to slightly more than one year for those Class 3 felons released in 1986, and to less than one

Figure 4–10.

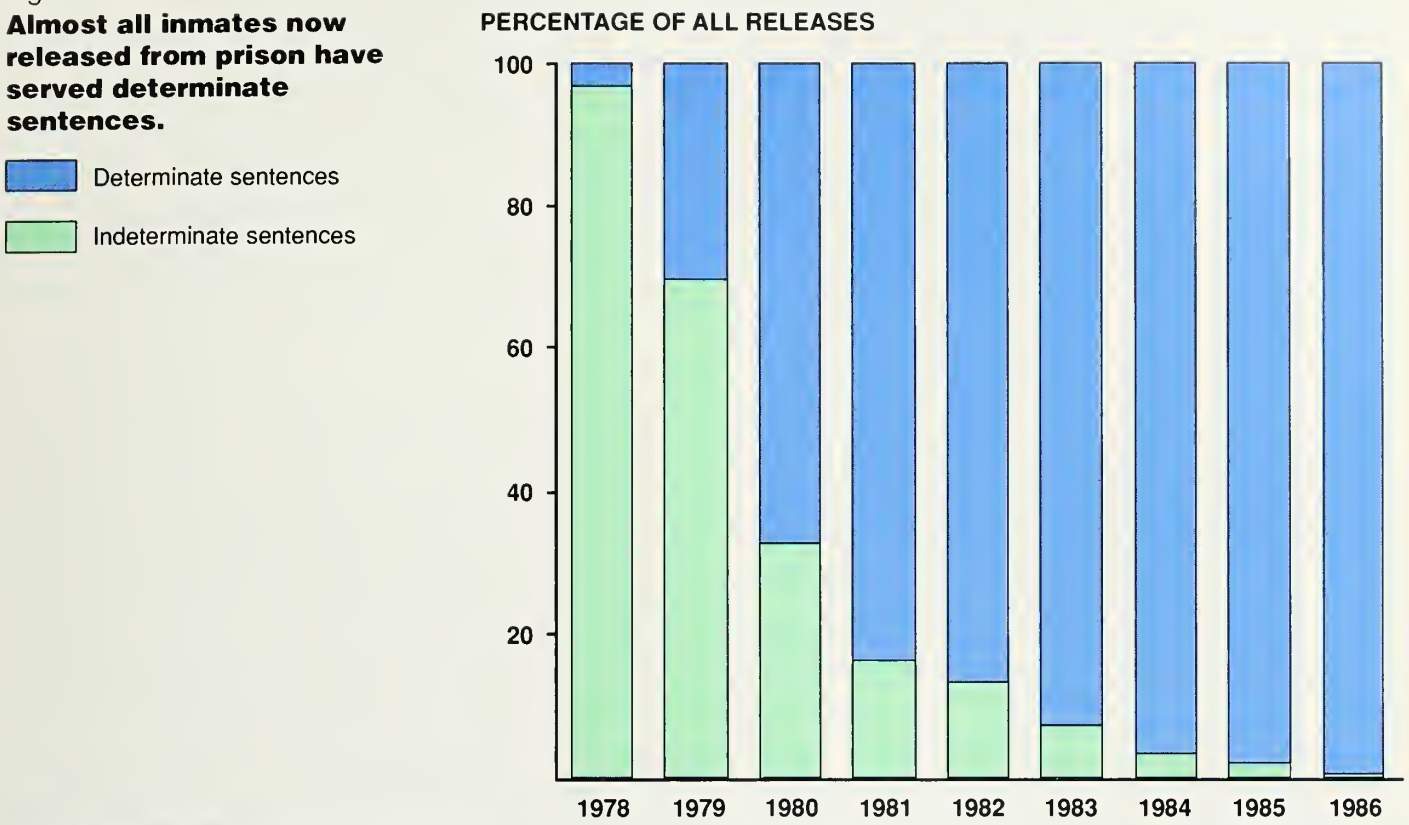
Illinois' prison population now includes a greater proportion of the most serious offenders.



Source: Illinois Department of Corrections

Figure 4-11.

Almost all inmates now released from prison have served determinate sentences.



Source: Illinois Department of Corrections

year for those Class 4 offenders released in 1986 (Figure 4-12). Average lengths of stay for prisoners convicted of Class 1 or Class 2 felonies also declined by about one year each during this period.

Among offenders imprisoned for the two most serious classes of crimes — murder and Class X offenses — the full effects of determinate sentencing have yet to be felt.[9] Class X offenders released in 1986 (including a small portion who served indeterminate sentences) spent the same amount of time in prison as comparable offenders released in 1978. Inmates convicted of murder who were released in 1986 actually served less time in prison than comparable offenders released in 1978. However, the length of stay for murderers has increased steadily since 1984, and should continue to do so as the population of convicted murderers in prison becomes almost entirely made up of offenders serving determinate sentences.

Another way to measure the effect of determinate sentencing for serious crimes is to compare the length of stay for prisoners released in 1978 with the estimated length of stay for offenders entering prison in 1986.[10] Offenders convicted of murder in 1986 can expect to serve an average of about 14.7 years in prison — or almost three years and nine months longer than the time actually served by convicted murderers released in 1978 (Figure 4-13). Class X offenders sentenced in 1986 can expect to serve about 5.5 years in prison, or about 1.5 years more than comparable offenders who were released in 1978 actually served. For Class 1, 2, 3, and 4 felons sentenced in 1986, the estimated length of stay should be between 3.5 months and 15.5 months less than 1978 levels.

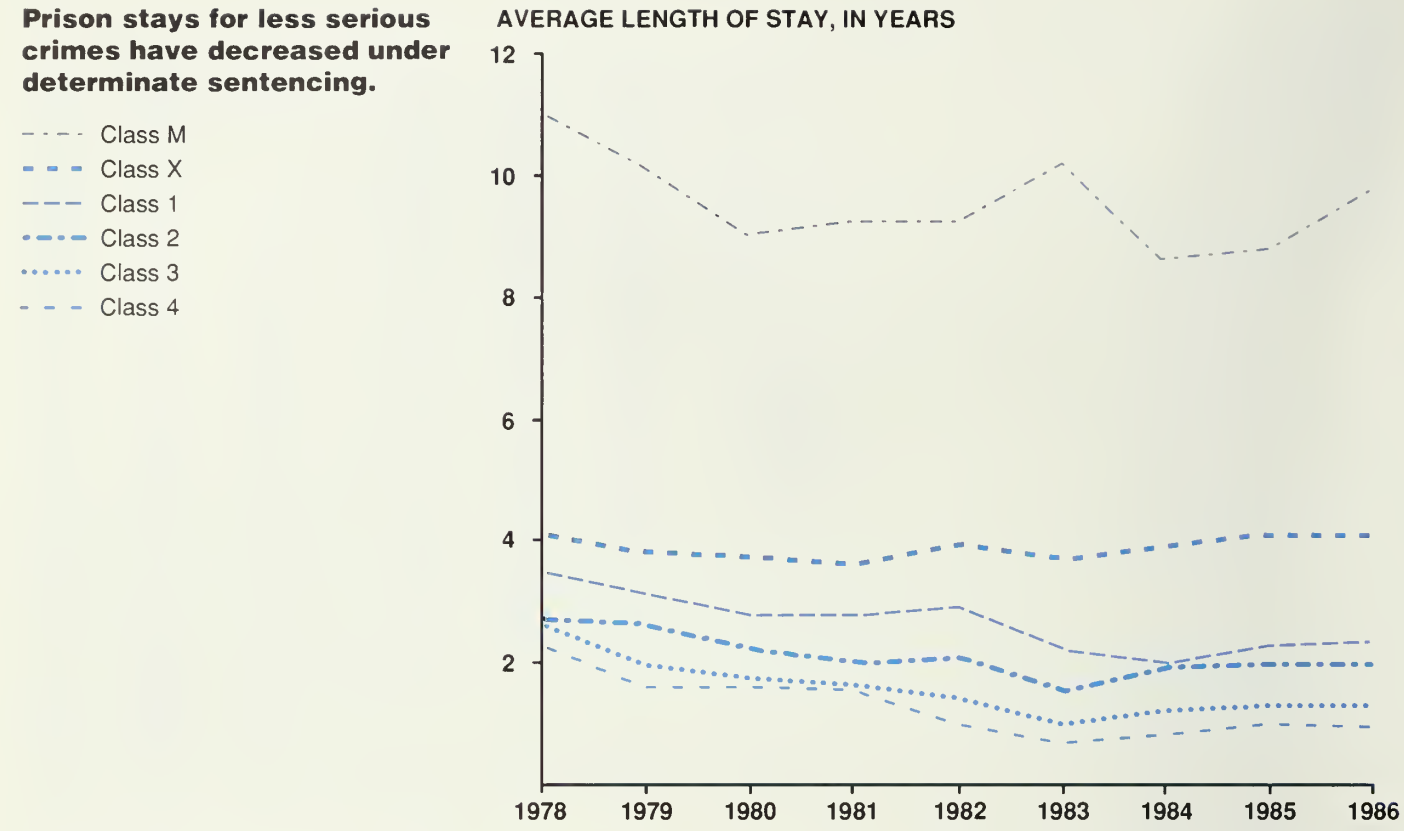
WHAT IS "PRISON CAPACITY"?

Ideally, the number of prison inmates should never exceed the capacity of the institutions designed to house them. Over the years, as Illinois' inmate population has fluctuated, so has the capacity of the state's prison system. But because different definitions of "capacity" are used, confusion exists about exactly when a state prison is full and should not house additional inmates.

One common definition is "design capacity," or "the number of inmates which a correctional facility was originally designed to house or currently has a capacity to house as a result of planned modifications, exclusive of extraordinary arrangements to accommodate overcrowded conditions."[11] Design capacity, then, is the number of inmates who can be housed and served in a facility, based on the original architectural design and any subsequent modifications. The design capacity of an institution cannot change without new construction.

Figure 4-12.

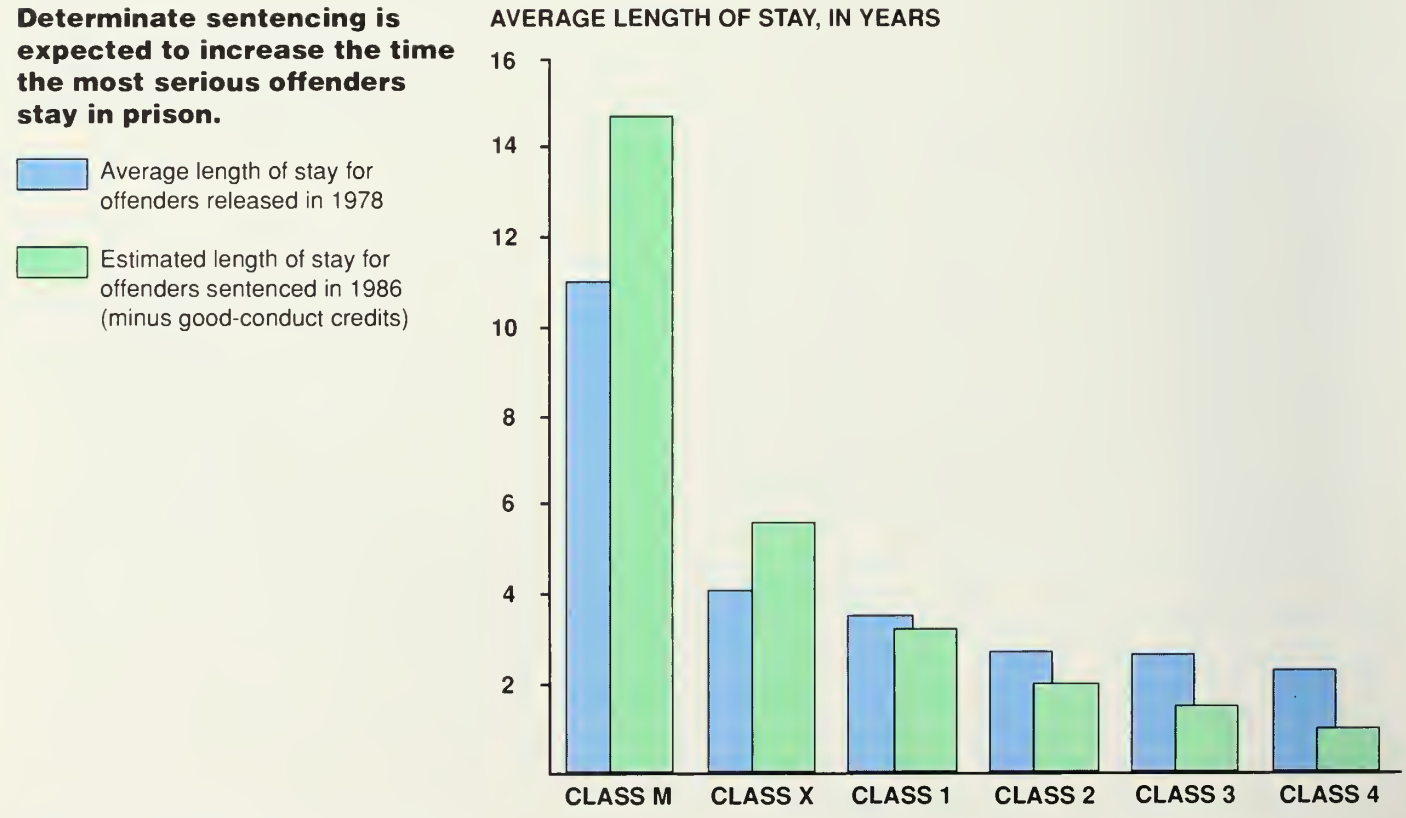
Prison stays for less serious crimes have decreased under determinate sentencing.



Source: Illinois Department of Corrections

Figure 4-13.

Determinate sentencing is expected to increase the time the most serious offenders stay in prison.



Source: Illinois Department of Corrections

Prison capacity is also defined in terms of "rated capacity" — "an administrative determination of the maximum number of inmates that can be housed and provided with basic services."[12] Rated capacity is determined by correctional administrators based on the interrelationship of the physical structure of the prison and its inmate population. Several factors are involved in rated capacity judgments, including the physical size and classification of an institution, the size and classification of the inmate population, the support facilities required to operate the institution, other services needed to meet inmates' basic needs, and the security and safety of both prison staff and inmates.

Because rated capacity is an administrative judgment based on a variety of factors, it has frequently been revised, both upward and downward, without the construction of new prison space. (For example, a change from single- to double-celling of some inmates can increase an institution's rated capacity.) Several different events have prompted revisions in rated capacity over the years. These include a surge in the offender population, changes in correctional policies, and special designations of facilities.

WHAT IS THE RATED CAPACITY OF ILLINOIS PRISONS?

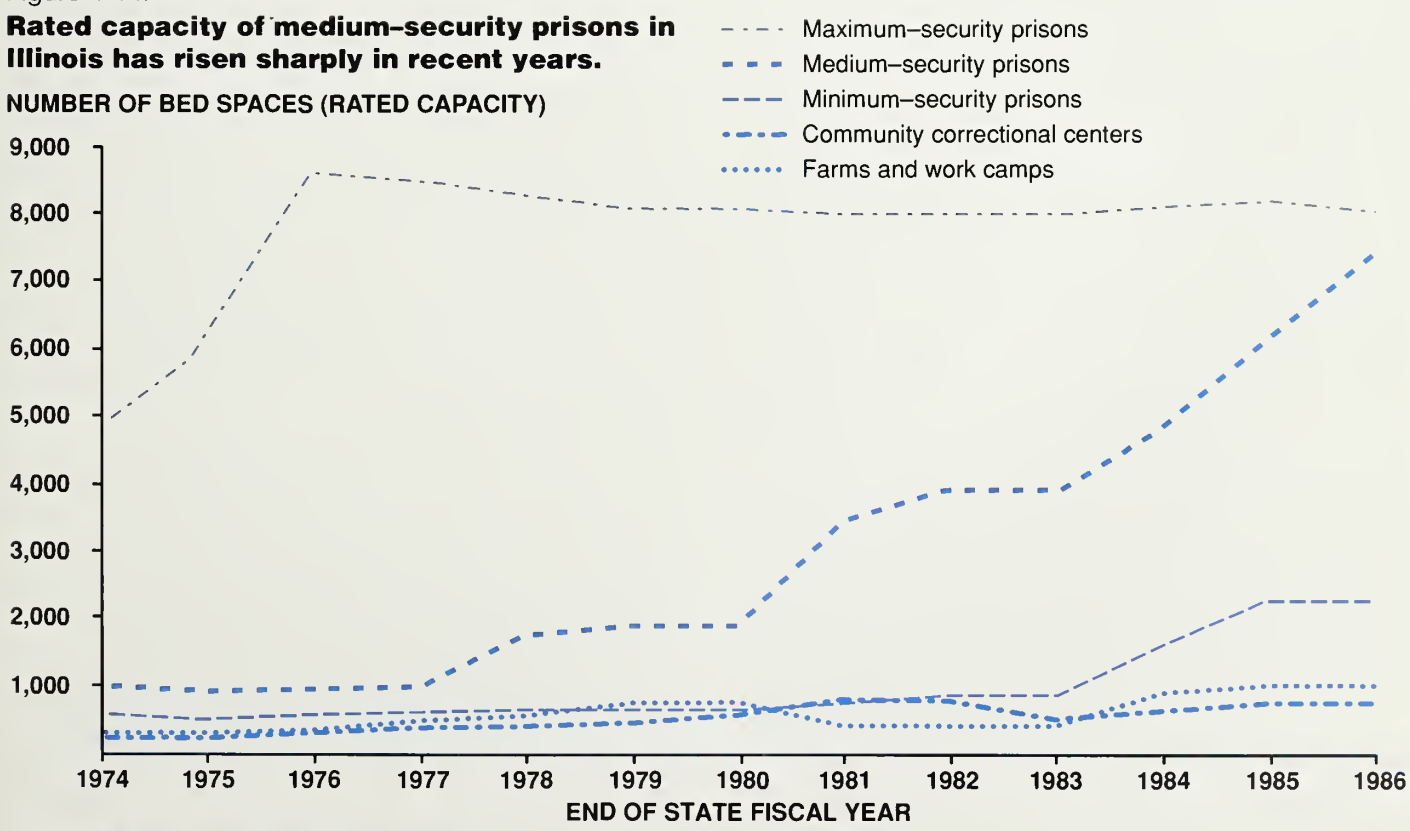
Although rated capacity figures do not necessarily reflect the desirable operational capacity of an institution, prison capacity in Illinois has historically been measured in those terms. The total rated capacity of Illinois' adult prison system grew from about 7,000 bed spaces in June 1974 to more than 19,400 in June 1986, a 177 percent increase (Figure 4-14). More than half of this increase occurred in medium-security facilities, where rated capacity grew by more than 6,300 spaces. As a result, a substantially greater proportion of the state's inmate population is now housed in medium-security prisons than ever before.

Rated capacity also increased substantially in both maximum- and minimum-security facilities between 1974 and 1986 — the former by more than 3,100 spaces and the latter by nearly 1,700. During this same period, the rated capacity of IDOC's community correctional centers increased by about 500 spaces, and the combined rated capacity of the department's farms and work camps grew by more than 700 spaces.

What caused the dramatic increase in rated capacity? Approximately 45 percent of it involved construction of new facilities (Figure 4-15). A total of 5,558 new bed spaces were added between June 1974 and June 1986, primarily because six new medium- and three new minimum-security institutions were opened.[13] Conversion or renovation of existing facilities added about 3,100 spaces, or approximately one-quarter of the

Figure 4-14.

Rated capacity of medium-security prisons in Illinois has risen sharply in recent years.



Source: Illinois Department of Corrections

Figure 4-15.

Much of the increase in the rated capacity of Illinois prisons between 1974 and 1986 was the result of new construction.

	NUMBER OF NEW BED SPACES	PERCENT OF TOTAL INCREASE
New construction	5,558	45
Double-celling	3,205	26
Conversion	3,102	25
Community correctional centers	503	4
Bed space used on a contractual basis	47	<1
TOTAL	12,415	100

Source: Illinois Department of Corrections

overall increase. Double-celling accounted for 26 percent of the total increase.

Double-celling occurred mostly in maximum-security prisons during this period: it accounted for about 80 percent of the approximate 3,300-space increase in the rated capacity of maximum-security facilities between June 1974 and June 1985. During fiscal 1986, double-celling in maximum-security prisons temporarily decreased by 160 spaces because of renovation efforts. However, after this renovation is completed, double-celling in maximum-security prisons is expected to return to its previous level. Because of the inherent danger involved in crowding the most serious offenders into institutions that, on the average, are about 100 years old, IDOC in recent years has attempted to limit double-celling in maximum-security prisons. While double-celling still exists throughout the state's prison system, it is generally targeted for the newer medium- and minimum-security institutions.

As the rated capacity of Illinois prisons has increased in recent years, it has generally remained higher than the facilities' design capacity. This is particularly evident in maximum-security institutions, where rated capacity in fiscal 1986 was 32 percent greater than design capacity. That year, rated capacity of medium-security prisons was 13 percent higher than design capacity. However, among minimum-security facilities (including bed space contracted from other jurisdictions), rated capacity was 3 percent lower than design capacity.[14]

WHAT IS THE CAPACITY OF DEATH ROW IN ILLINOIS?

The capacity of the Illinois prison system for housing and managing more offenders continues to be a critical concern. In addition, attention has been recently focused on the ability of the state's death-row facilities to support a growing number of inmates with capital sentences.

Between 1930 and 1962, Illinois executed at least 91 offenders. Executions were stopped across the country in 1972, when the U.S. Supreme Court, in the landmark case *Furman v. Georgia*, ruled that the arbitrary or capricious application of a state's death-penalty statute constitutes cruel and unusual punishment in violation of the Eighth and 14th amendments to the U.S. Constitution. Eventually, the capital sentences of more than 600 inmates living on the nation's death rows at the time were invalidated. However, as many states revised their capital-punishment laws to meet the standards established by the Supreme Court, the number of condemned prisoners soon began to rise again.

Since 1972, 37 states, including Illinois, have enacted laws that permit the death penalty for certain crimes. Governor James R. Thompson signed legislation reinstating the death penalty in Illinois in 1977. By the end of 1986, 102 offenders had been placed on death row in the state, although no death-row inmate has yet completed the 10-step appeals process for capital cases and been executed (Figure 4-16).

In the absence of executions, the population of condemned prisoners has swelled, and their number began approaching the capacity of the state's two death-row facilities at the Menard and Pontiac correctional centers. To house additional death-row inmates, IDOC announced in January 1987 the planned addition of 42 cells to the Condemned Unit at Pontiac. This addition would increase the capacity of Illinois' death-row facilities to 150.

HOW ARE PRISON INMATES RELEASED?

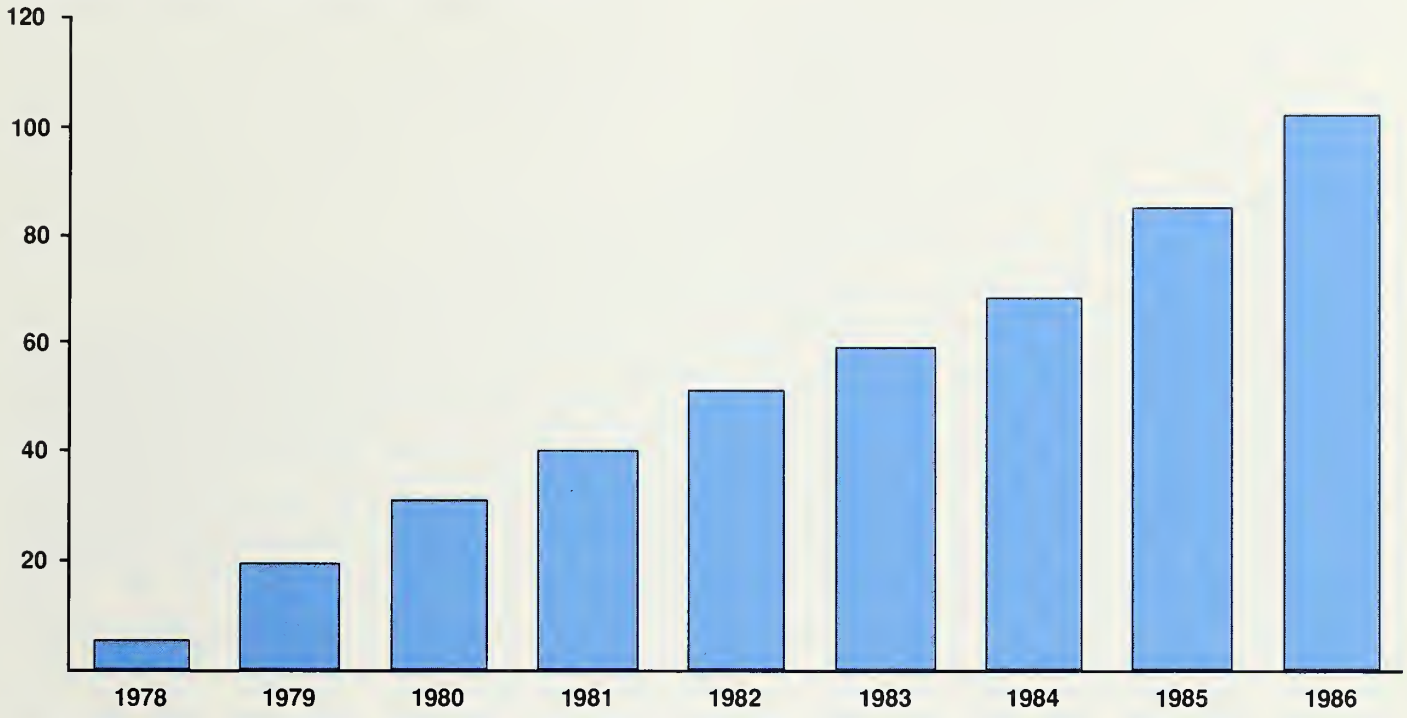
Determinate sentencing affected more than just the length of time offenders are incarcerated: it also changed the system by which they are released from prison. When determinate sentencing was enacted in 1978, parole was also replaced with a system called mandatory supervised release (MSR).

Under MSR, hearings are no longer held every few years to determine inmates' suitability for release from prison. Instead, offenders must complete their full sentences, minus any good-conduct credits they earn. Once they have completed their sentences, their release onto supervision becomes mandatory, and for a set period of time, they must follow certain conditions.

WHAT IS THE EXTENT OF RECIDIVISM IN ILLINOIS?

The idea that proportionally few criminals are responsible for much of the crime in our communities has prompted

Figure 4–16.
Illinois' death-row population surpassed 100 in 1986.



Note: Illinois has not executed anyone since the re-enactment of capital punishment in 1977.
Source: American Civil Liberties Union

many criminal justice authorities to pay particular attention to the problem of "repeat offenders." To gain a better understanding of what happens to inmates after they are released from prison in Illinois, and to respond to the need for accurate and timely information about recidivism in the state, the Authority in 1984 began its Repeat Offender Project (ROP).

The ROP study is tracking the criminal activity of a cohort of 769 inmates who were discharged from IDOC during April, May, and June of 1983.[15] According to the state criminal history records of these offenders:[16]

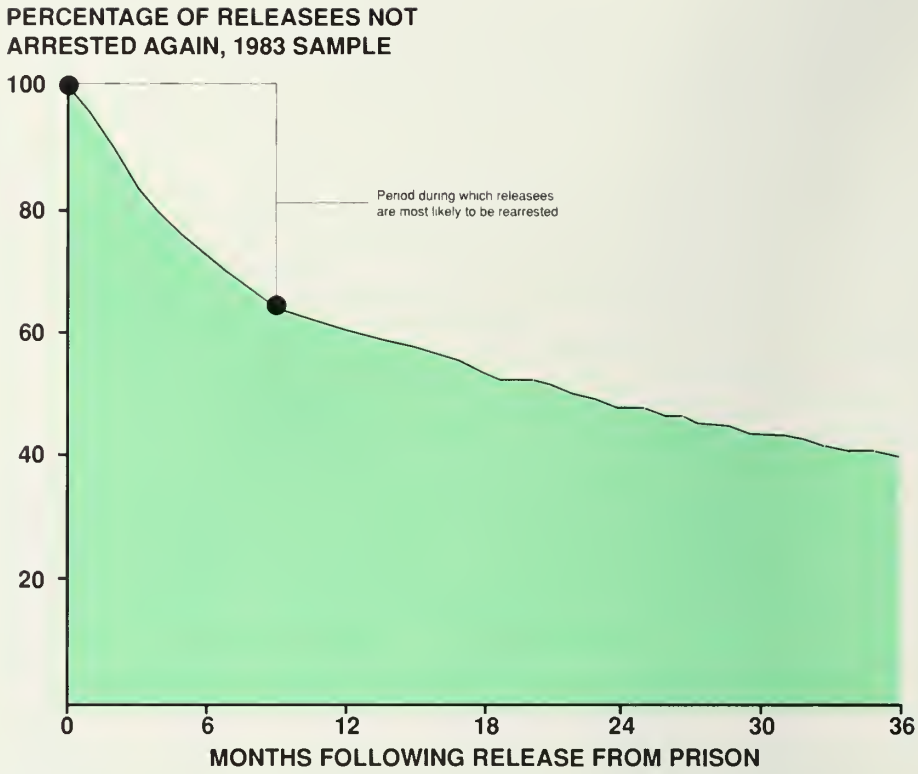
- 62 percent were arrested at least once during the three years following their release from prison.
- The average number of arrests per offender after release from prison was two, although this number ranged from one to 18; one-quarter of the offenders had four or more arrests following their release.
- The 477 offenders who were rearrested were involved in nearly 1,300 arrests during the three years following their release from prison; the majority of these arrests were for property-related crimes, while slightly more than one-quarter were for violent offenses.
- More than 36 percent of the former inmates were incarcerated again in an Illinois prison at lease once during the three-year period.
- The 278 offenders who were reincarcerated were responsible for 357 commitments to state prison.

In addition to following the traditional method of measuring recidivism at the *end* of fixed intervals (such as three years), Authority researchers, using a technique called "survival analysis," also examined the pace of recidivism *during* these time intervals.[17] Survival analysis revealed that a former inmate's chances of being arrested again are greatest during the first nine months following release from prison, and that the risk of arrest decreases over time. In other words, the longer a former prisoner "survives" — that is, the longer an individual avoids being rearrested or reincarcerated — the more likely it is that the individual will continue to survive. Seventy percent of the offenders in the ROP sample had survived six months after they had been released from prison, 60 percent were still surviving after 12 months, and 52 percent continued to survive after 18 months (Figure 4-17).

Throughout the ROP study, Authority researchers also tried to pinpoint the best indicator, or indicators, of whether or not a former inmate would be arrested

Figure 4–17.

A former inmate's chances of being arrested again are greatest during the first nine months following release from prison.



Source: Illinois Criminal Justice Information Authority

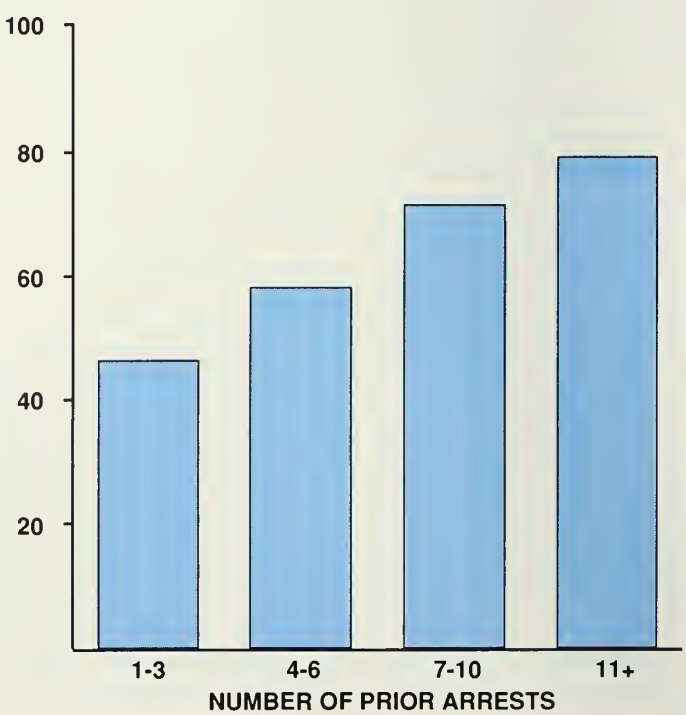
again after being released from prison. The Authority found the best indicator of *future* criminal activity to be the extent of an offender's *prior* criminal history. In other words, the more prior arrests and prior incarcerations an offender has, the more likely it is that the person will be arrested or incarcerated again. Seventy-nine percent of the ROP offenders who had 11 or more prior arrests were arrested again within three years of being released from prison, compared with 71 percent of those who had seven to 10 prior arrests, 58 percent of those with four to six prior arrests, and 46 percent of those with one to three prior arrests (Figure 4-18). Moreover, this relationship between prior criminal history and recidivism is very strong, and is not explained away by other factors such as the offender's race or age or the types of crimes the offender previously committed.[18]

WHAT IS THE ROLE OF THE ILLINOIS PRISONER REVIEW BOARD?

With the introduction of determinate sentencing and MSR in 1978 came the abolition of IDOC's Parole and Pardon Board, which made decisions regarding the release of inmates serving indeterminate sentences. At the same time, the Illinois Prisoner Review Board, a 10-member panel appointed by the Governor with the advice and consent of the Illinois Senate, was created. The Prisoner Review Board is primarily responsible for establishing the

Figure 4–18.

Prison releasees with more prior arrests are more likely to be arrested again.



Source: Illinois Criminal Justice Information Authority

conditions under which state prisoners are released, for deciding whether those conditions have been violated, and for hearing petitions for executive clemency.

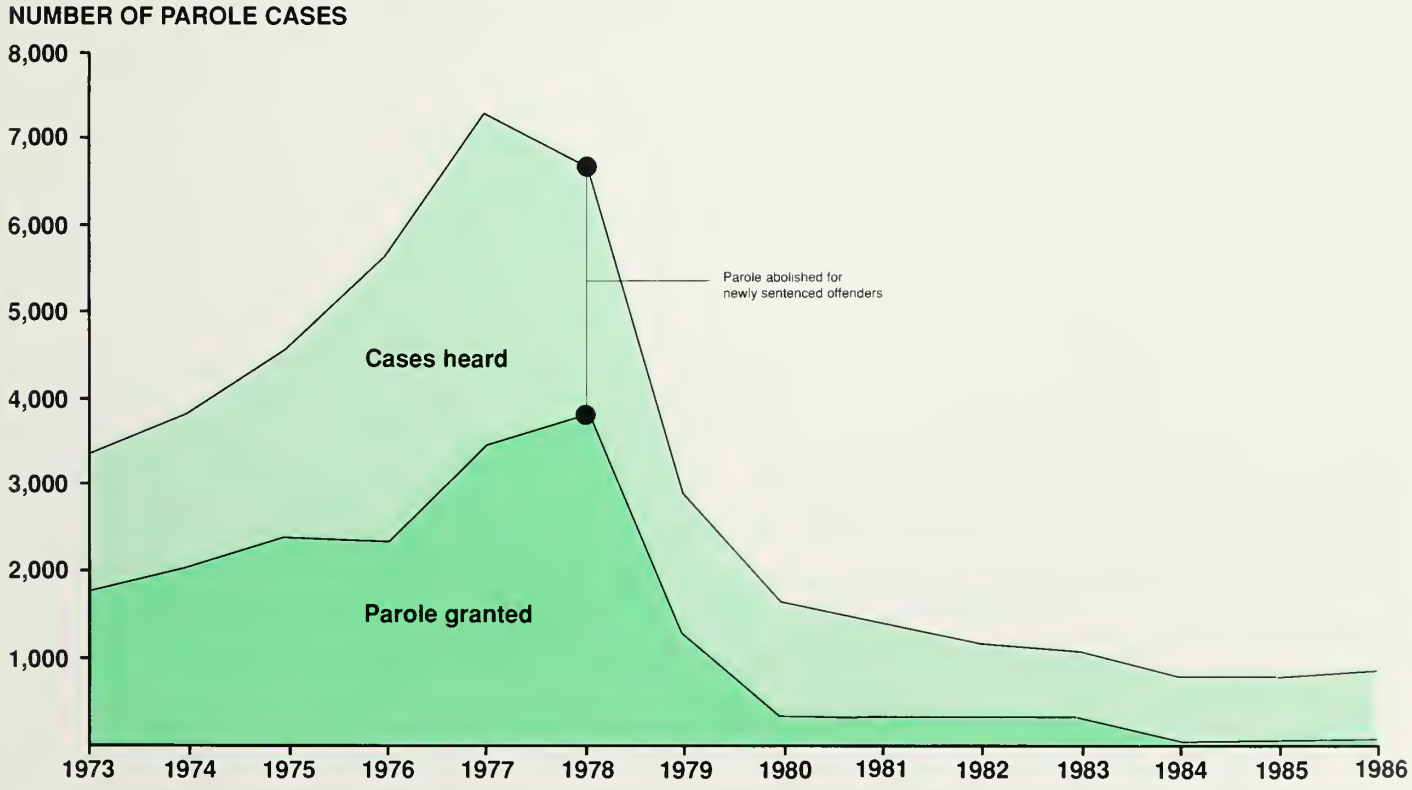
When determinate sentencing was enacted, prisoners serving indeterminate sentences with minimum terms of less than 20 years were offered a release date by the Prisoner Review Board. Each of these inmates could accept the board's offer (and thereby waive future eligibility for parole), appeal for an earlier release date, or reject the offer and remain eligible for parole at a later date. Approximately 70 percent of eligible prisoners ultimately accepted the board's offer, and their indeterminate sentences, in effect, became determinate.

The only parole hearings now conducted in Illinois involve serious offenders who were sentenced to lengthy terms before 1978 or prisoners who did not accept the offer of a release date. Consequently, the number of parole hearings has fallen dramatically since 1977 (Figure 4-19). In addition, the Prisoner Review Board is granting parole in fewer of the cases it hears. In 1978, the first year of its existence, the board considered 6,684 cases and granted parole in 3,823 of them, or about 57 percent. (By comparison, 2,602 prisoners were released under MSR that year.) In 1986, 866 parole cases were reviewed, but parole was granted in only 25 of them (or less than 3 percent). This lower percentage of parole cases granted can probably be attributed to the relatively long sentences received by offenders still serving indeterminate sentences.

The sharp decline in the number of parole cases heard has been offset by an increase in the number of revocation hearings the Prisoner Review Board conducts (Figure 4-20). Revocation hearings involve offenders who allegedly violate the conditions of either parole (if they served indeterminate sentences) or MSR (if they served determinate sentences). If the review board finds that a former inmate did indeed violate the conditions of release, it can order the offender back to prison or it can reinstate the release status.

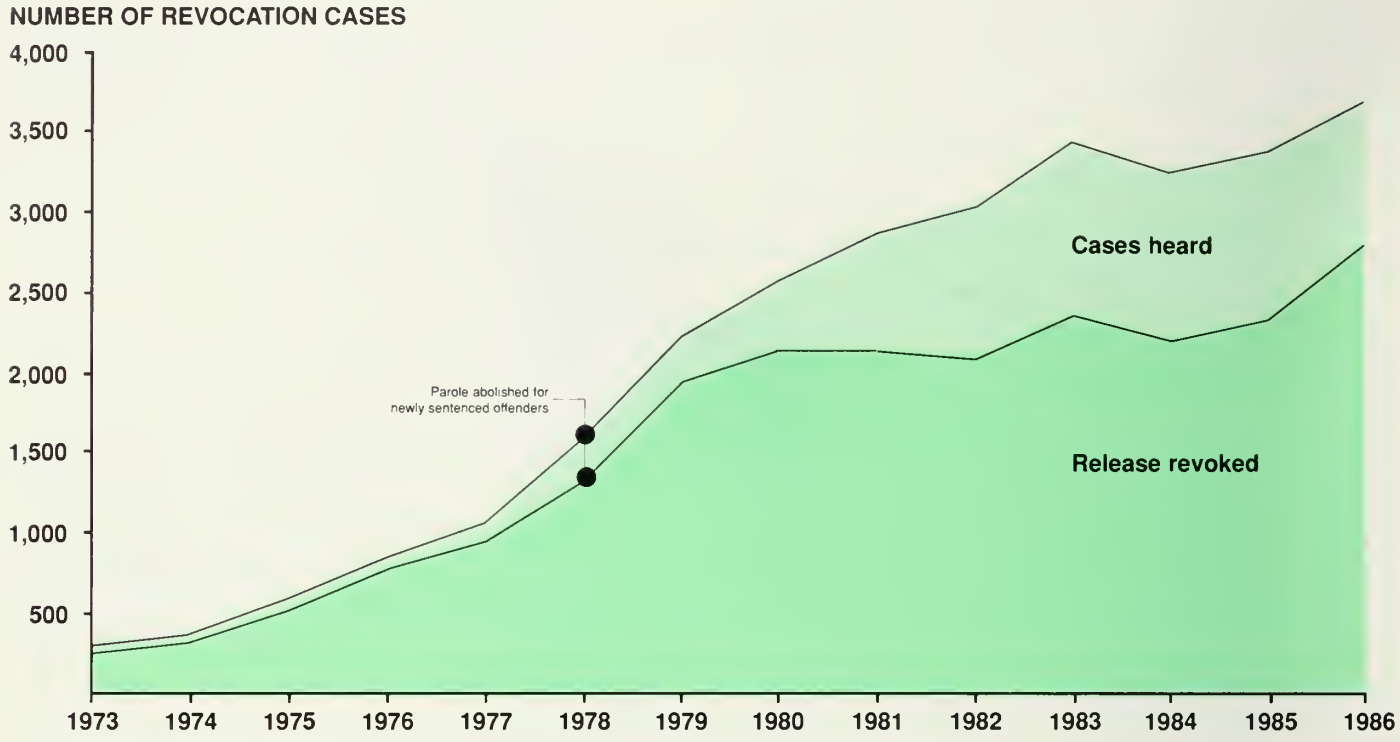
From 1973 through 1977, authorities revoked nearly nine out of every 10 cases they heard. After determinate sentencing took effect and the number of revocation cases increased dramatically, the percentage of cases revoked began to decline. In fact, from 1980 through 1982, the number of cases revoked declined, even though the number of revocation hearings continued to increase. Since 1982, the number of revocation hearings conducted by the Prisoner Review Board has generally increased.

Figure 4–19.
Few prisoners in Illinois are still eligible for parole.



Source: Illinois Prisoner Review Board

Figure 4-20.
More offenders are found to be violating the terms of their release.



Source: Illinois Prisoner Review Board

HOW MANY REQUESTS ARE THERE FOR EXECUTIVE CLEMENCY?

The Prisoner Review Board hears two types of executive clemency cases: commutations, in which offenders request reductions in their prison sentences, and pardons, in which offenders ask to be released from further punishment for their crimes.

More than 1,450 executive clemency petitions were filed with the review board between 1979 and 1986. During this period, the board recommended that 39 commutations and 90 pardons be granted, or less than 9 percent of all executive clemency requests it received (Figure 4-21). All clemency petitions recommended by the Prisoner Review Board must ultimately be approved by the Governor. Most of the successful petitions involve former inmates who have been in the community long enough to demonstrate that they are unlikely to commit new crimes.

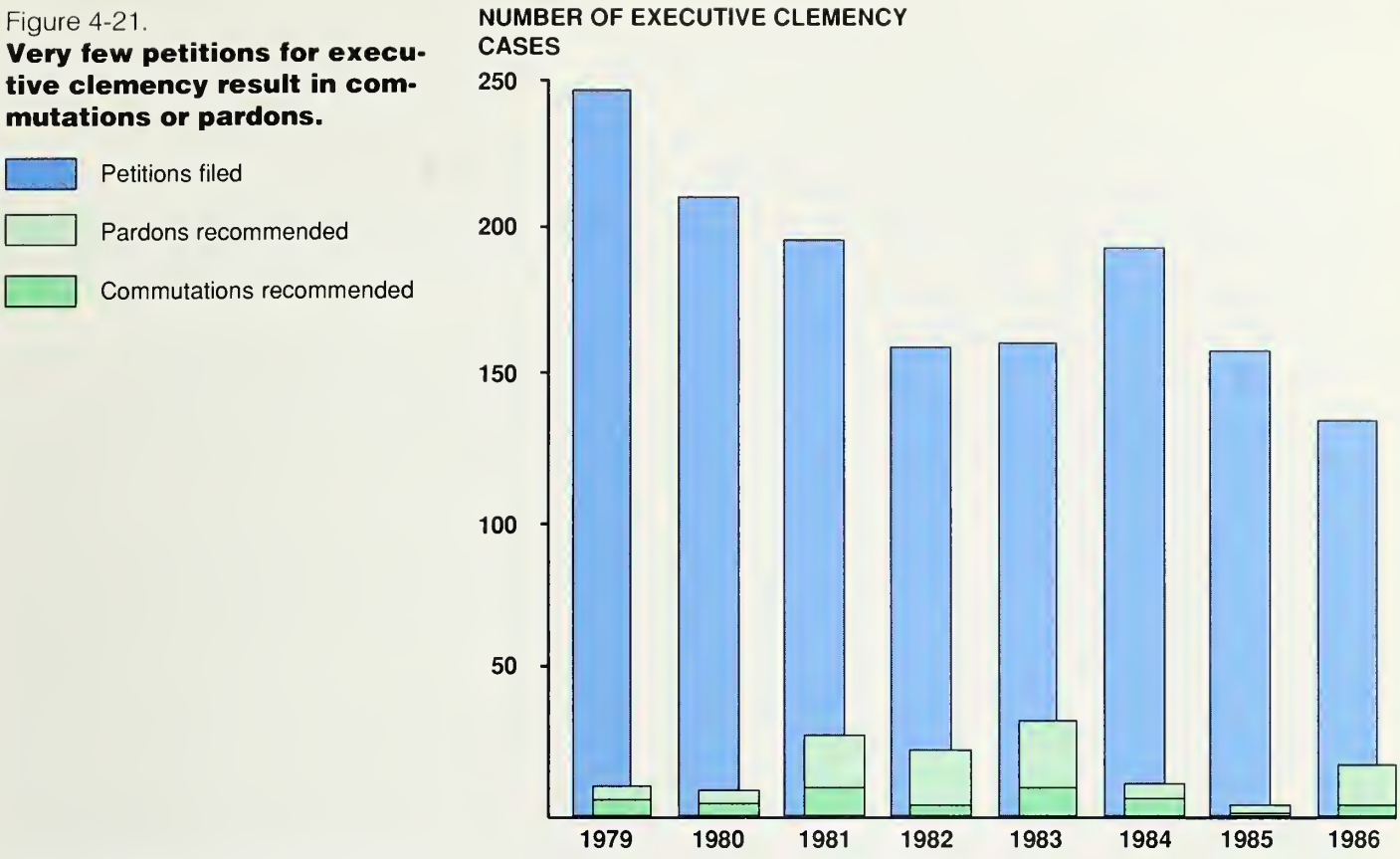
HOW WILL ILLINOIS' PRISON POPULATION CHANGE IN THE FUTURE?

Using a variety of historical and demographic data, IDOC recently calculated how it expects the state's prison population to change in the next several years.[19] Three different trends were projected through 1996: the number of admissions, the number of exits, and the overall population. The results indicate that Illinois' prison population is expected to continue to reach record levels into the next decade (Figure 4-22).[20]

The number of inmates admitted to prison (including both new admissions and felony defaulters) is expected to continue increasing over the next 10 years, and is likely to top 12,000 by 1996. At the same time, the number of inmates leaving prison is expected to increase, reaching slightly more than 10,000 exits in 1996. But because admissions will continue to outpace exits, the overall prison population will expand. The average daily prison population in Illinois is expected to surpass 20,000 in 1988, 22,000 in 1992, and 23,000 in 1995. By 1996, according to IDOC projections, there will be nearly 23,600 inmates in Illinois prisons. If these projections are accurate, correctional planning and management will continue to be primary concerns of Illinois' criminal justice system.

Figure 4-21.

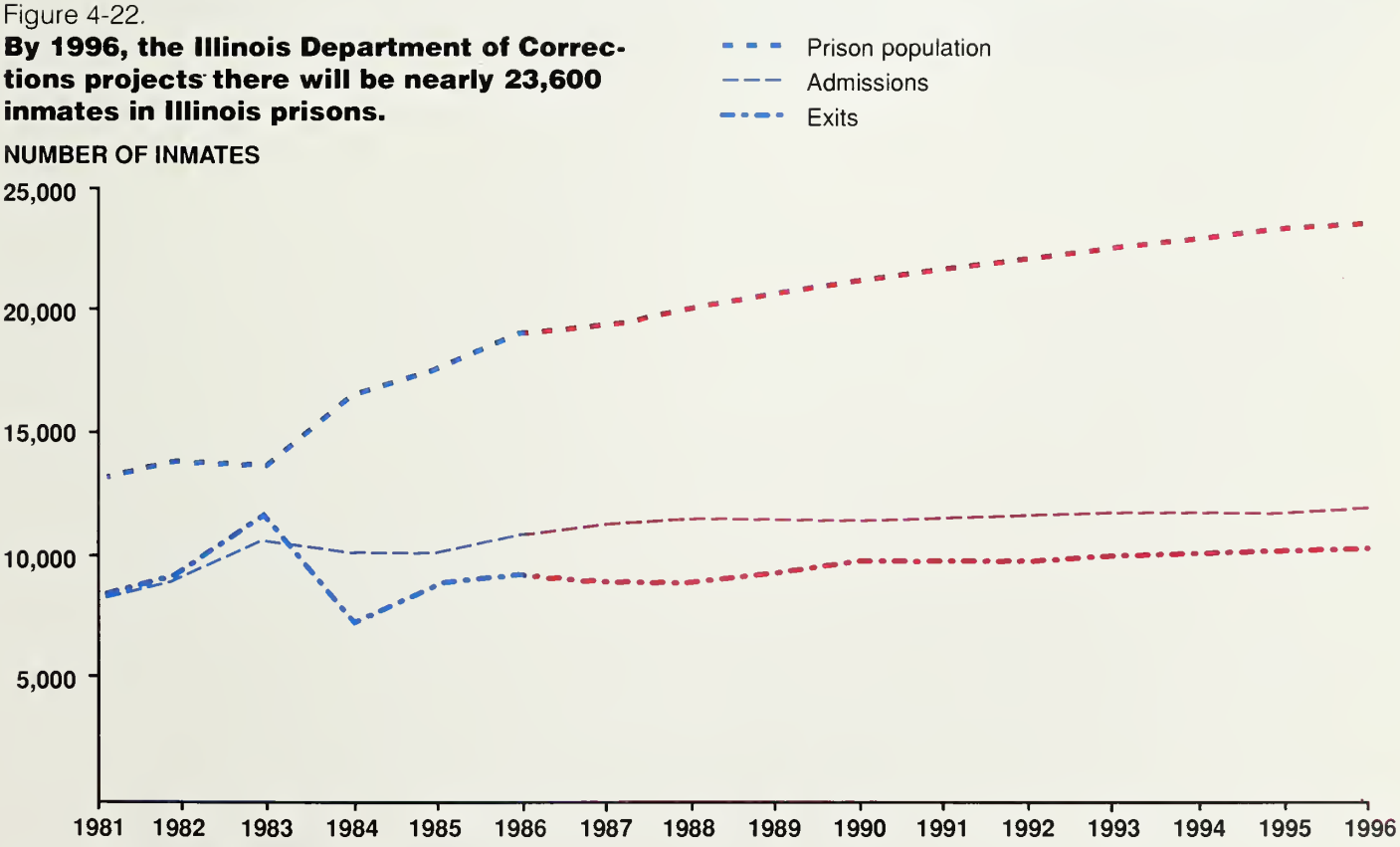
Very few petitions for executive clemency result in commutations or pardons.



Source: Illinois Prisoner Review Board

Figure 4-22.

By 1996, the Illinois Department of Corrections projects there will be nearly 23,600 inmates in Illinois prisons.



Source: Illinois Department of Corrections

Notes

[1] Illinois fiscal years run from July 1 through June 30 (for example, fiscal 1986 began July 1, 1985, and ended June 30, 1986).

[2] *Human Services Data Report, Part I* (Springfield, Ill.: Illinois Department of Corrections, 1984-1986), vol. III, p.4.

[3] The Dwight Correctional Center houses maximum-, medium-, and minimum-security female prisoners. However, for analytical purposes in this report, Dwight is considered a maximum-security facility.

[4] *Human Services Data Report*, p. 67.

[5] See, for example, *Challenge of Crime in a Free Society* (Washington, D.C.: President's Commission on Law Enforcement and Administration of Justice, 1967), pp. 159-185; or Samuel Walker, *Popular Justice: A History of American Criminal Justice* (New York: Oxford University Press, 1980), p. 234.

[6] In Illinois, prison admissions include all offenders sentenced by the courts and all felony defaulters. Prison releases include all inmates who receive MSR, parole, or other types of discharges. The total number of releases after 1969 is undercounted because data on the number of inmates released to community correctional centers were unavailable.

[7] *Report to the Nation on Crime and Justice: The Data* (Washington, D.C.: Bureau of Justice Statistics, 1983), p. 36.

[8] "Length of stay" is the time offenders are incarcerated, including the time they spend in state prisons, county jails, mental health facilities, and juvenile institutions while under the auspices of IDOC for the current offense.

[9] In the years immediately following enactment of determinate sentencing in Illinois, the population of inmates released for the most serious crimes still included many prisoners who were completing indeterminate sentences. Only after almost all offenders serving indeterminate sentences have been released can the full effects of determinate sentencing be known.

[10] The "estimated length of stay" for offenders entering prison in 1986 assumes that each prisoner will earn the full day-for-day good-conduct credits, plus one 90-day block of meritorious good time.

[11] *Adult Correctional Center Capacity Survey* (Springfield, Ill.: Illinois Department of Corrections, 1986), p. 6.

[12] *Adult Correctional Center Capacity Survey*, p. 7.

[13] The opening of a medium-security prison in Galesburg added another 900 bed spaces through new construction in fiscal 1987.

[14] Comparison of design capacity and rated capacity is based on the following: maximum-security facilities include the Dwight Correctional Center (the state's all-security prison for women), the Menard Psychiatric Unit, and federal space IDOC contracts for; medium-security facilities exclude the Danville Correctional Center, Menard Special Unit, and Pontiac Medium-Security Unit because design capacity figures were unavailable; and minimum-security facilities include space contracted from Illinois jails.

[15] The ROP sample is representative of the prison population in Illinois at the time the sample was drawn in 1983. For example, more than 97 percent of the inmates in the sample were male, slightly more than half were black, 80 percent were between the ages of 18 and 34 when they were released from prison (the average age at release was 28), 73 percent reported their marital status as single, and 53 said they had not finished high school at the time they were admitted to prison.

[16] The primary source of criminal history data in the ROP study is the Computerized Criminal History system maintained by the Illinois Department of State Police. See *Repeat Offenders in Illinois* (Chicago: Illinois Criminal Justice Information Authority, 1985) for a detailed explanation of the ROP methodology and data sources.

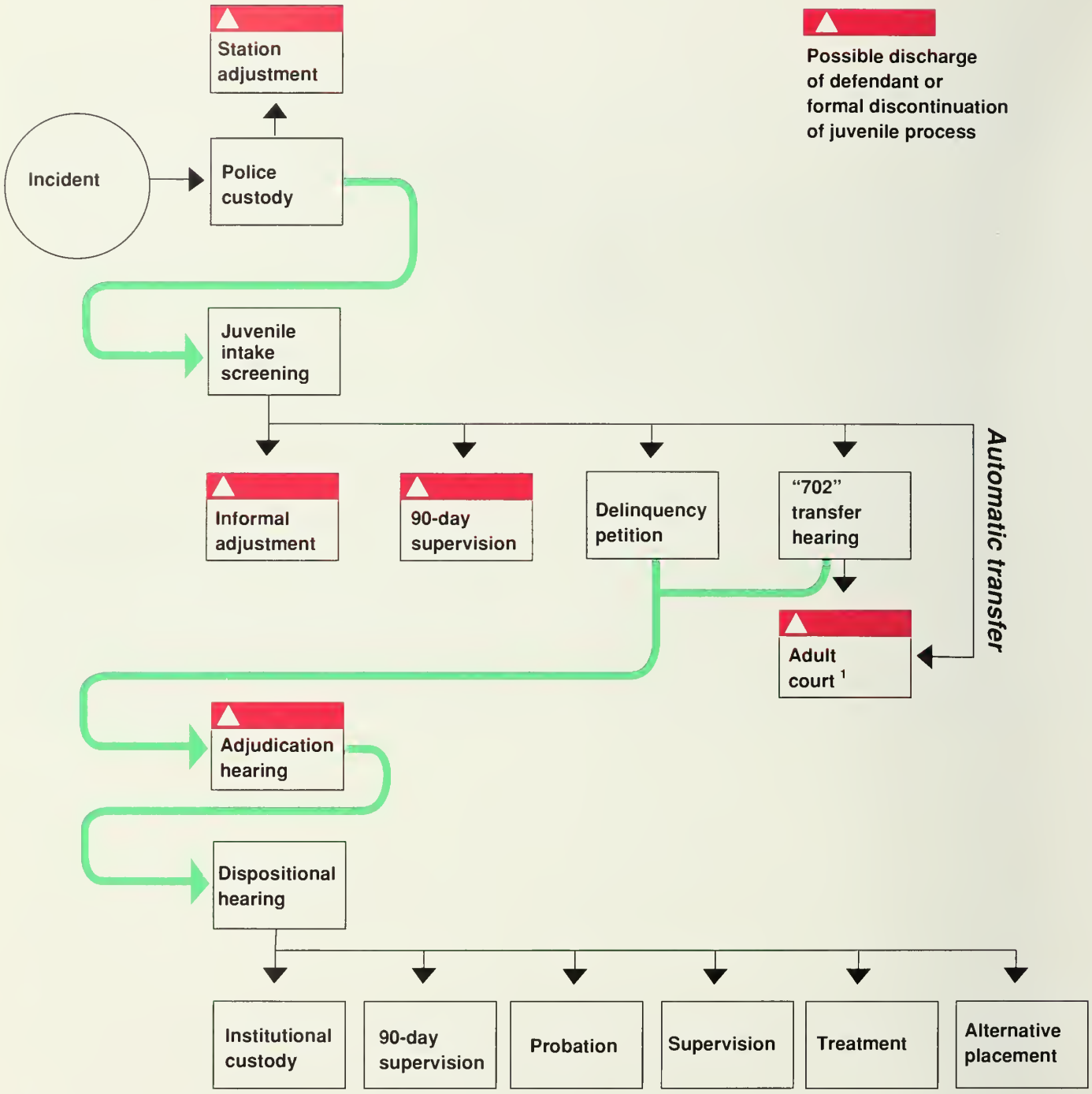
[17] See John D. Markovic, *The Pace of Recidivism in Illinois* (Chicago: Illinois Criminal Justice Information Authority, 1986) for a detailed discussion of survival analysis.

[18] See Roger Przybylski, *The Impact of Prior Criminal History on Recidivism in Illinois* (Chicago: Illinois Criminal Justice Information Authority, 1986) for a thorough explanation of the relationship between prior criminal history and recidivism.

[19] *Adult Correctional Center Capacity Survey*, pp. 96-99.

[20] The historical numbers presented in these IDOC projections may not exactly match the admission, release, and population figures presented elsewhere in this chapter. This is because the figures presented here are based on IDOC definitions and reporting practices, which are slightly different from those used by the Authority to calculate prison admissions, releases, and population.

An Overview of Juvenile Processing in Illinois



[1] Begin adult felony process at preliminary hearing

1985 (Figure 5-1). Close to two-thirds of those cases were filed in Cook County, where the yearly number of juvenile cases ranged from a low of about 14,200 in 1978 to a high of more than 22,100 in 1982. In the rest of the state, the number of juvenile cases filed each year remained close to 10,000 throughout the 11-year period.

Almost three-quarters of the juvenile cases filed in Illinois in 1985 involved alleged delinquent minors (Figure 5-2).[3] Cases of neglected or abused minors accounted for most of the remaining cases, while petitions for dependent minors and for minors requiring authoritative intervention/addicted minors made up about 1 percent each.[4]

Before 1983, status offenders and addicted minors were both handled under one type of petition — the "minor otherwise in need of supervision." When Illinois' Juvenile Court Act was amended in 1983, two new types of petitions were created: minors requiring authoritative intervention and addicted minors. This change represented a significant shift in the way status offenders are handled. Now, a runaway or incorrigible youth cannot be adjudicated as an MRAI unless three conditions are met:

1) Alternatives recommended by police and social-service agencies prove unsuccessful.

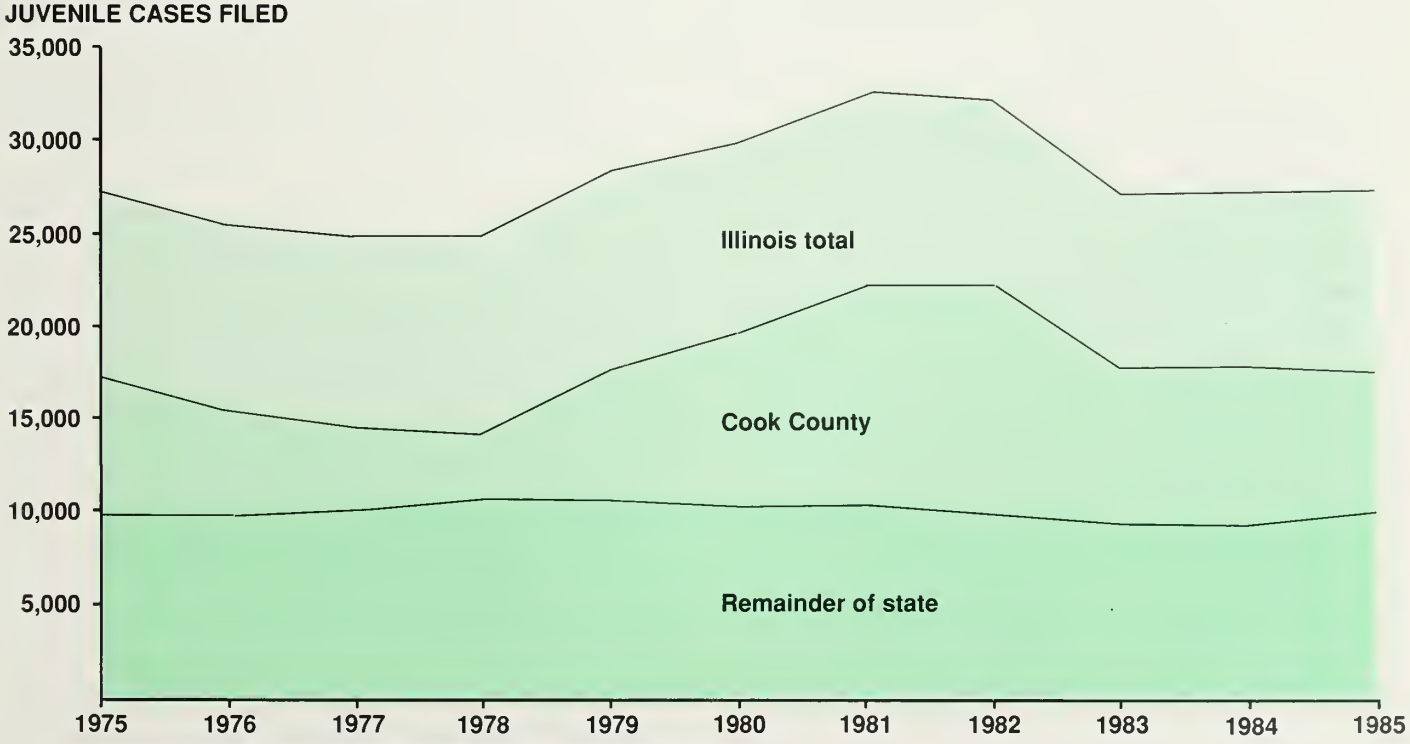
2) The minor has been taken into limited custody for a specified number of days.

3) The minor and the minor's parents cannot agree to a plan for voluntary residential placement or the continuation of this type of placement.

Given the requirements for MRAI cases, relatively few juveniles fit the MRAI definition precisely: hence, the relatively low number of MRAI petitions filed in 1985 (327, or about 1 percent of all juvenile petitions filed statewide that year). Of the 199 cases referred as possible MRAI petitions to the Juvenile Division of the Cook County Circuit Court in 1985, 87 resulted in petitions being filed, while the remaining 112 were diverted. Some cases that are diverted, however, may end up being filed under another type of petition, such as a delinquency or neglect petition, while others may be referred to social-service agencies.

Although most young offenders in Illinois are handled by the juvenile court, some juveniles suspected of serious crimes can be tried in adult court instead. Only juveniles aged 13 or older can be transferred to adult court, however. In some cases, this transfer follows what is known as a "702 hearing." During this hearing, authorities decide whether to retain the case within the juvenile system or to move it to adult court for prosecution. In cases involving certain serious crimes — murder, aggravated criminal sexual assault, armed robbery with a firearm, unlawful use of weapons in a school, and some drug offenses committed in or near a school — a juvenile

Figure 5–1.
Nearly two-thirds of Illinois' juvenile court cases are filed in Cook County.



Source: Administrative Office of the Illinois Courts (Annual Report)

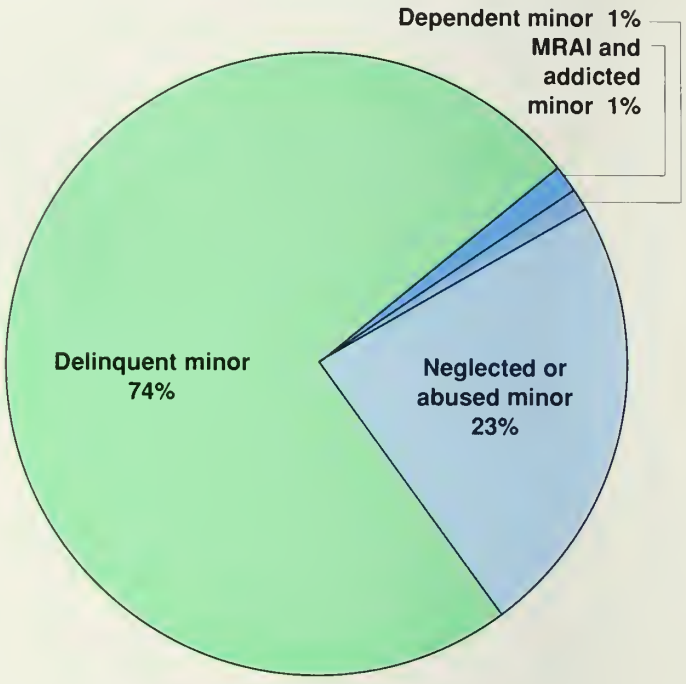
suspect who is at least 15 years old is *automatically* transferred to adult court.

Any juvenile found to be delinquent at an adjudication hearing subsequently receives a disposition hearing. Again, there are a variety of possible dispositions. The court may place the offender in one of seven youth centers operated by the Illinois Department of Corrections, or it may order the youth detained in a local juvenile facility for up to 30 days. The juvenile may also be put on probation or enrolled in a special treatment or supervision program. Finally, the court may order some combination of these dispositions.

For the other four types of adjudicated minors, several dispositions are also possible. For example, minors requiring authoritative intervention and minors found to be neglected or abused may be referred to the Illinois Department of Children and Family Services (DCFS), released to their parents or guardians and placed under supervision, or ordered partially or completely emancipated. If a minor is found to be dependent or neglected as a result of physical abuse by parents or guardians, the minor cannot be returned to the parents or guardians until a hearing is held to determine their fitness. In the meantime, the minor is usually referred to DCFS or placed with another relative.

The remainder of this chapter focuses on juvenile offenders and how they are handled in Illinois. The traditional justice functions — law enforcement, adjudication, and corrections — are explored in detail. The services performed by other agencies, such as schools and mental-health and social-service organizations, though extremely valuable, are not covered in this report.

Figure 5–2.
Most juvenile cases filed in Illinois in 1985 involved delinquent minors.



Note: Percentages do not add up to 100 because of rounding.
Source: Administrative Office of the Illinois Courts (Probation Division)

The Data

This chapter includes statistical data about three components of Illinois' juvenile justice system: law enforcement, the courts, and corrections. Most of the data sources in this chapter are the same as those used in earlier chapters that cover the corresponding components of the adult system. For the most part, the same data-quality issues outlined in those chapters apply here as well.

In addition, there are special concerns associated with interpreting juvenile justice data. One of these involves the term "juvenile arrest." Technically, juveniles are not "arrested;" they are "taken into custody." But to remain consistent with the recordkeeping terminology used by the Illinois Department of State Police (DSP), the term "juvenile arrest" is used here as well.

The source of juvenile arrest statistics is the Illinois Uniform Crime Reports (I-UCR), which DSP compiles from reports submitted by local law enforcement agencies throughout the state. However, as explained more fully in Chapter 1, I-UCR arrest statistics for juveniles may undercount the actual number of juveniles who come into contact with police because law enforcement agencies issue "station adjustments" in many cases involving juveniles. Since these agencies often do not report station adjustments to DSP, no comprehensive statewide statistics about them exist.[5]

Courts information in this chapter is largely from the Administrative Office of the Illinois Courts, which collects statistics about all juvenile and criminal courts in

the state. However, these data may also undercount the real number of juveniles going through juvenile court. This is because intake screening personnel and judges, like law enforcement officers, can refer juveniles to informal treatment programs. And although data on the number of juveniles referred to intake screening are available, there are no statewide statistics on the types of referrals these intake screening units make.

Finally, data about juveniles in institutional custody or under supervision come from the Illinois Department of Corrections (IDOC). These IDOC figures are based on state fiscal years, which run from July 1 through June 30 (for example, fiscal 1986 began July 1, 1985, and ended June 30, 1986).

Trends and Issues

In response to growing public concern over juvenile crime — particularly gang crime and violent offenses — Illinois lawmakers enacted several measures in the early 1980s aimed at serious juvenile offenders. Under one of these laws, juveniles who repeatedly commit serious crimes are no longer eligible for alternative treatment programs; instead, they must be committed to juvenile detention facilities.[6] Another law requires young people accused of certain very serious crimes to be tried in adult court.[7]

What prompted this legislative concern over serious young offenders? How much juvenile crime is there in Illinois, and what types of offenses do young people commit? How many juveniles are adjudicated and convicted each year? What sanctions do they typically receive? The rest of this chapter examines these and other issues about juvenile justice in Illinois.

HOW MANY JUVENILES ARE TAKEN INTO POLICE CUSTODY IN ILLINOIS?

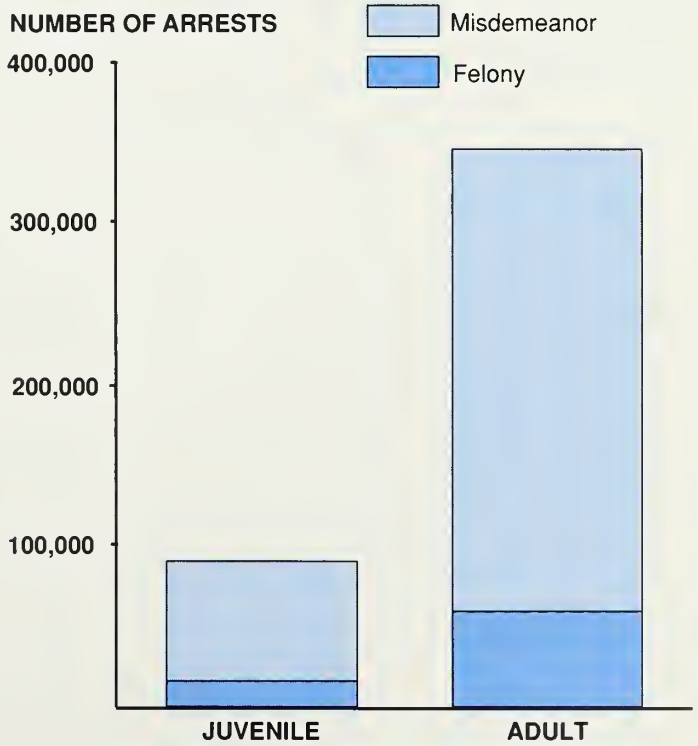
Under Illinois law, any person younger than age 17 who is accused of violating (or attempting to violate) any federal or state law or any municipal ordinance is treated as a juvenile. While there are no comprehensive statistics on the number of crimes committed by juveniles in the state, data are available on the number of juveniles who are *arrested* (technically, "taken into police custody").

In 1986, juveniles were involved in close to 89,600 arrests in Illinois, or slightly less than 21 percent of all arrests statewide (Figure 5-3).[8] Nearly 14,800 juvenile arrests that year, or about 16 percent of the juvenile total, were for felonies. The remaining 74,800 juvenile arrests were for misdemeanors. Juveniles accounted for approximately 20 percent of all felony arrests and about 21 percent of all misdemeanor arrests in Illinois in 1986.

WHAT TYPES OF CRIMES ARE JUVENILES TAKEN INTO CUSTODY FOR?

Summary arrest figures provide some indication of how many juveniles come into contact with police in Illinois.

Figure 5-3.
Juveniles accounted for 21 percent of all arrests in Illinois in 1986.



Source: Illinois Uniform Crime Reports

Another way to measure juvenile involvement in crime is to compare two other statistics: the proportion of all arrests in which juveniles are involved and the proportion of Illinois' population that these young people represent. For these comparisons, "juveniles" were defined as all persons aged 10 to 16. Children younger than 10 were excluded because statistically they account for very few of the juveniles coming into contact with law enforcement officials. And even when these young children do commit crimes, they are seldom handled formally by the juvenile justice system.

In recent years, the proportion of 10- to 16-year-olds in Illinois' population has decreased slightly. These juveniles made up nearly 13 percent of the state's population in 1972 and almost 14 percent in 1975. By 1986, however, they accounted for less than 11 percent of the state total. In contrast, juveniles were involved in about 21 percent of all arrests statewide in 1986.

The proportion of arrests involving juveniles generally varies among different types of crimes. For example, juveniles accounted for a disproportionately high number of robbery arrests in Illinois between 1972 and 1986 (Figure 5-4). Juveniles were involved in at least one-quarter of the robbery arrests in each year from 1972 through 1986; between 1980 and 1984, they were involved in more than 30 percent of the robbery arrests in the state.

Juveniles also accounted for a disproportionately high number of arrests for aggravated assault in most years. In 1986, when juveniles made up less than 11 percent of the state's population, they accounted for 17 percent of the aggravated assault arrests. However, the tendency of more than one juvenile to be arrested for a single incident probably accounts for part of this over-representation of juveniles in both robbery and aggravated assault arrests.[9] This group-crime phenomenon occurs much less frequently among adults.

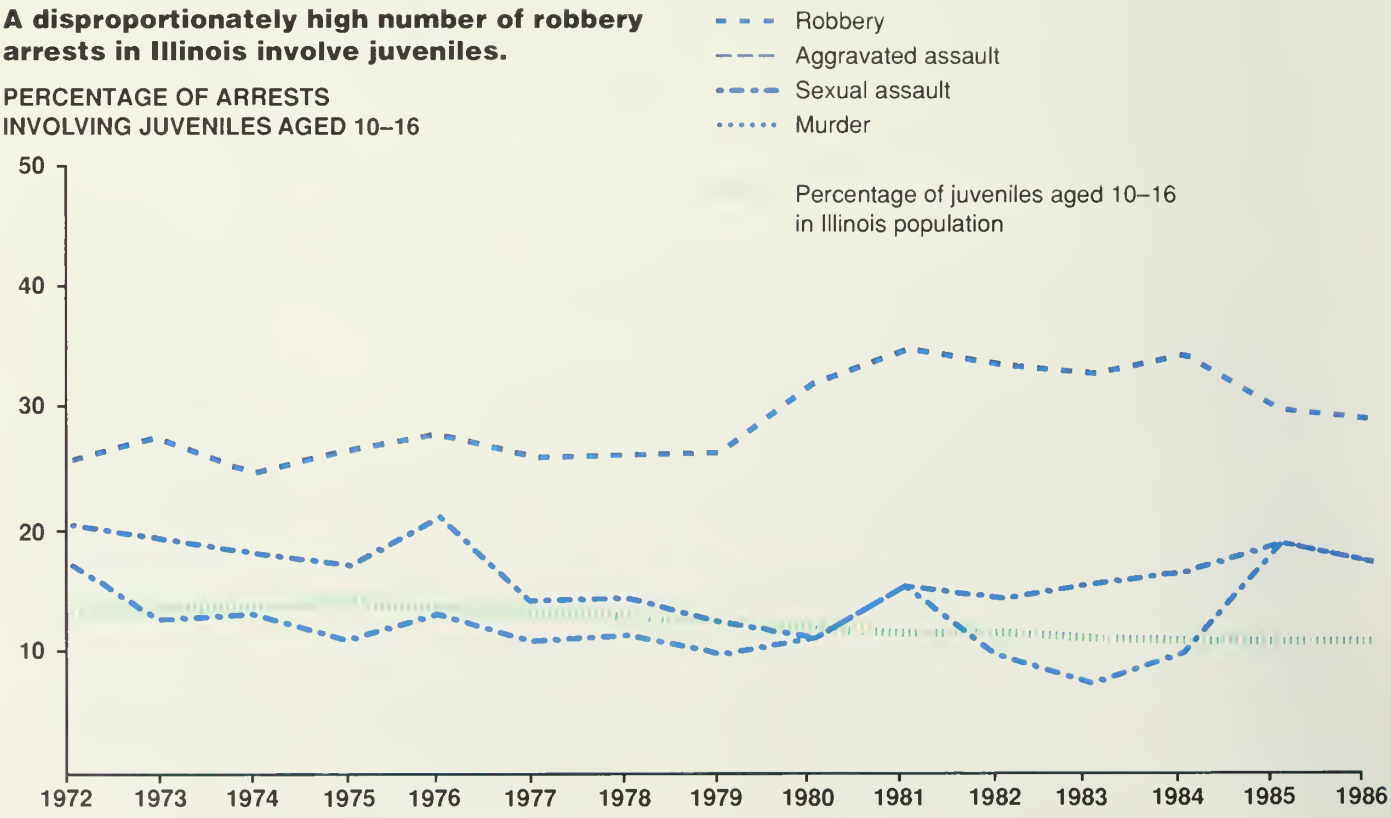
With murder, the percentage of arrests involving juveniles was less than their percentage of Illinois' population in all years from 1972 through 1986. And since 1979, the percentage of murder arrests involving juveniles has generally declined.

In most years until 1985, the percentage of sexual assault arrests involving juveniles was slightly lower than their percentage of the population. There were isolated years, however, when this was not the case. In 1972 and 1981, for example, the proportion of juveniles involved in sexual assault arrests in Illinois was relatively high. And in 1985 and 1986, this percentage rose dramatically when compared with the previous years.[10]

For the three property crimes of burglary, motor vehicle theft, and larceny/theft, juveniles in Illinois clearly account for a disproportionately high number of arrests.

Figure 5–4.

A disproportionately high number of robbery arrests in Illinois involve juveniles.



Source: Illinois Uniform Crime Reports; Illinois Bureau of the Budget

In every year from 1972 through 1986, between one-quarter and almost one-half of the arrests for these crimes involved 10- to 16-year-olds (Figure 5-5). In 1986, juveniles accounted for 37 percent of the arrests for burglary, 35 percent for motor vehicle theft, and 29 percent for larceny/theft. Again, however, the tendency for groups of juveniles to be arrested for a single offense may account for some of this overrepresentation.

For two other crimes often associated with juveniles — vandalism and drug violations — there were different arrest patterns: juveniles in Illinois generally account for a high percentage of arrests for vandalism, but not for most drug offenses. Between 1972 and 1986, the proportion of vandalism arrests involving 10- to 16-year-olds was as high as 70 percent in 1975, although it dropped significantly over the next 11 years (Figure 5-6). Still, juveniles in 1986 accounted for more than 35 percent of the arrests for vandalism statewide.

Juveniles accounted for a relatively low percentage of the arrests for drug offenses between 1981 and 1986 (Figure 5-7).[11] The percentage of arrests for cannabis violations involving 10- to 16-year-olds has been relatively close to their percentage of the state's population in recent years; in 1986, about 10 percent of all such arrests involved juveniles. Juveniles have traditionally accounted for a disproportionately low percentage of the arrests for controlled substances, and this percentage has decreased steadily since 1981. The fact that many drug-abusing minors probably receive station adjustments and are referred to treatment programs may explain this relatively low percentage.

HOW MANY DELINQUENCY PETITIONS ARE FILED EACH YEAR IN ILLINOIS?

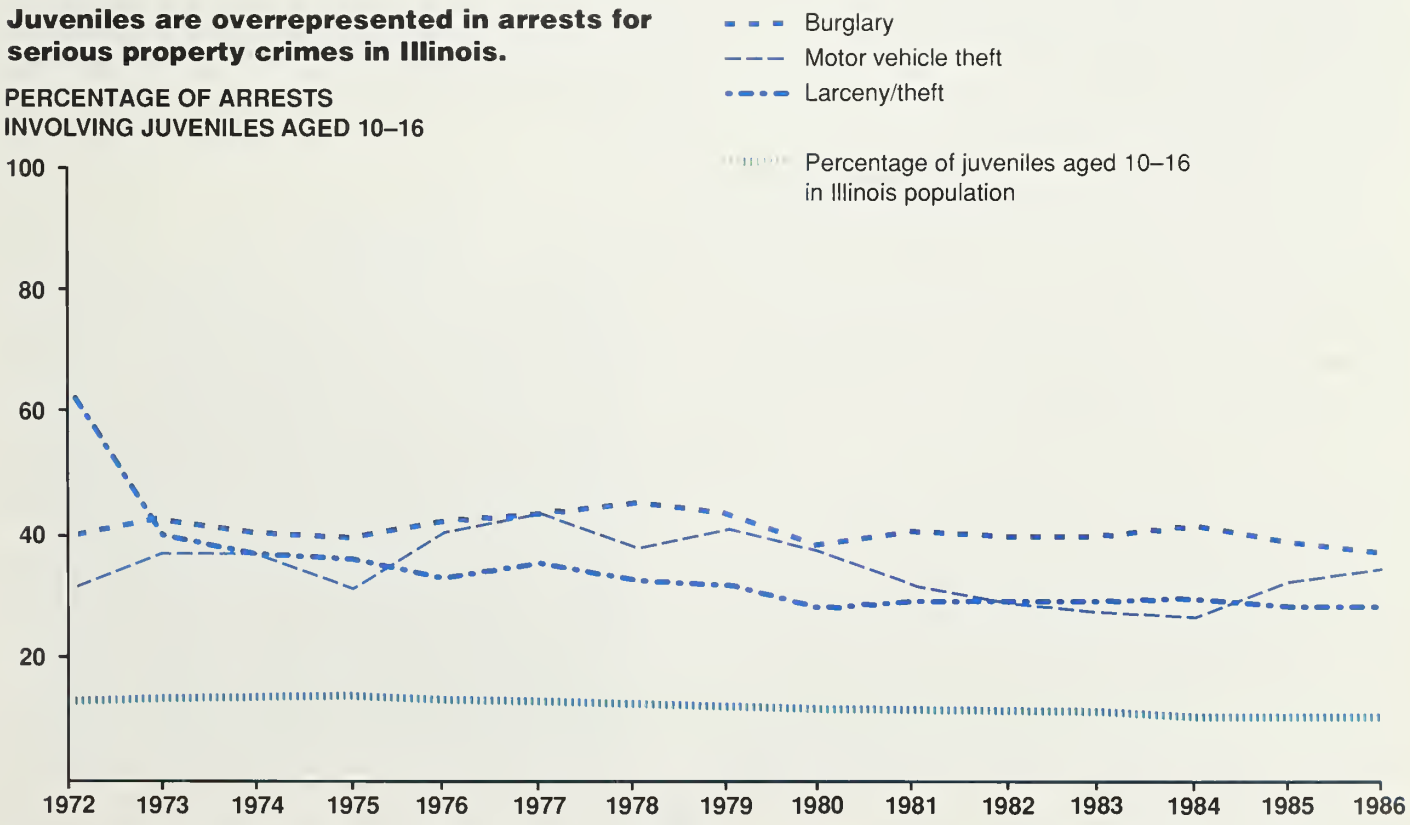
The number of delinquency petitions filed in Illinois increased 9 percent between 1980 and 1981, when they reached a six-year peak of nearly 21,800 (Figure 5-8).[12] This increase, however, was offset by decreases over the next three years, and in 1984, the total reached a six-year low of about 19,300. In 1985, slightly more than 19,800 delinquency petitions were filed statewide. More than 13,100 of these petitions were filed in Cook County, and nearly 6,700 were filed in the remainder of the state.

WHAT TYPES OF OFFENSES ARE JUVENILES CHARGED WITH?

More than 19,100 offenses were included in the 13,117 delinquency petitions filed in Cook County in 1985. Fifty-six percent of these offenses involved property crimes, while slightly more than 31 percent were for violent crimes against persons. Another 13 percent involved lesser crimes, such as weapon or drug violations (Figure 5-9).[13]

Figure 5–5.

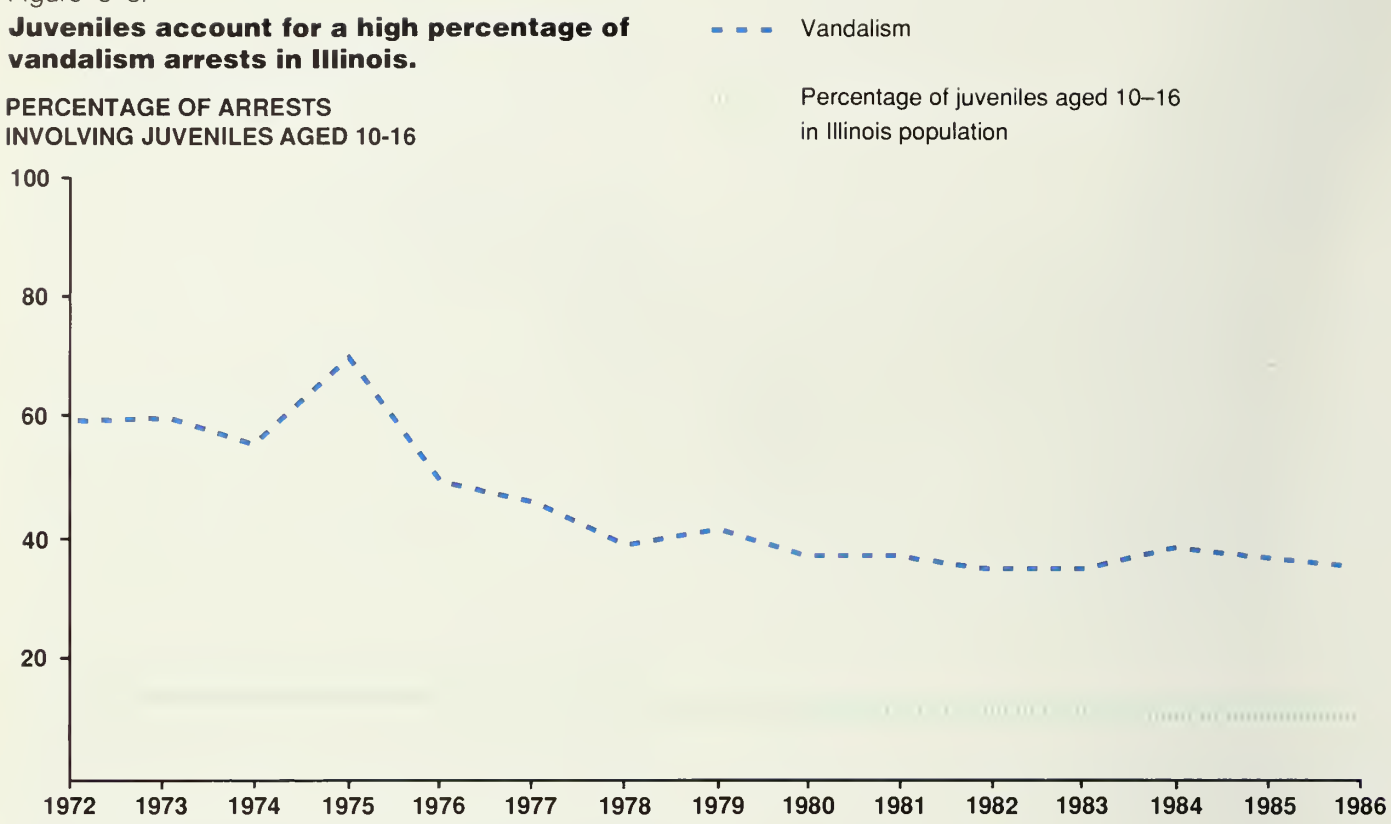
Juveniles are overrepresented in arrests for serious property crimes in Illinois.



Source: Illinois Uniform Crime Reports; Illinois Bureau of the Budget

Figure 5–6.

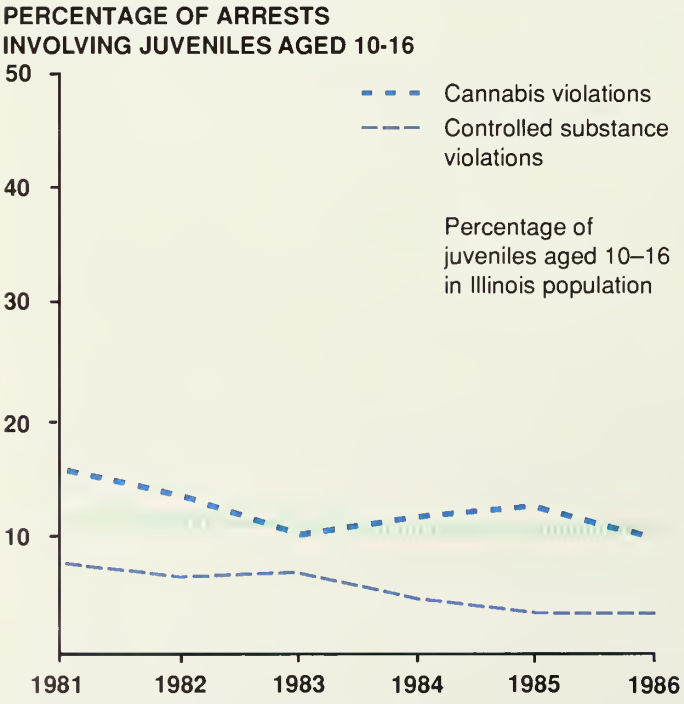
Juveniles account for a high percentage of vandalism arrests in Illinois.



Source: Illinois Uniform Crime Reports; Illinois Bureau of the Budget

Figure 5–7.

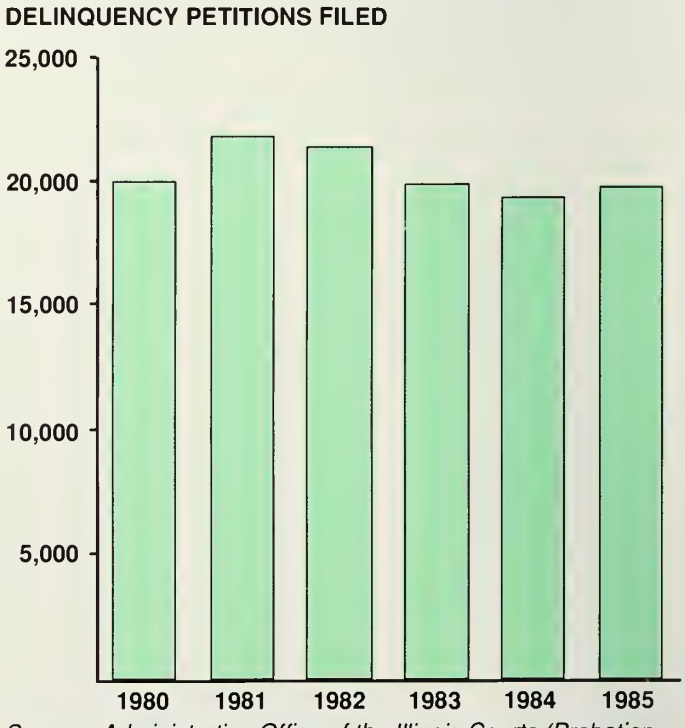
Juveniles account for a relatively low percentage of drug arrests in Illinois.



Source: Illinois Uniform Crime Reports; Illinois Bureau of the Budget

Figure 5–8.

The number of delinquency petitions filed in Illinois has generally declined since 1981.



Source: Administrative Office of the Illinois Courts (Probation Division)

Figure 5–9.

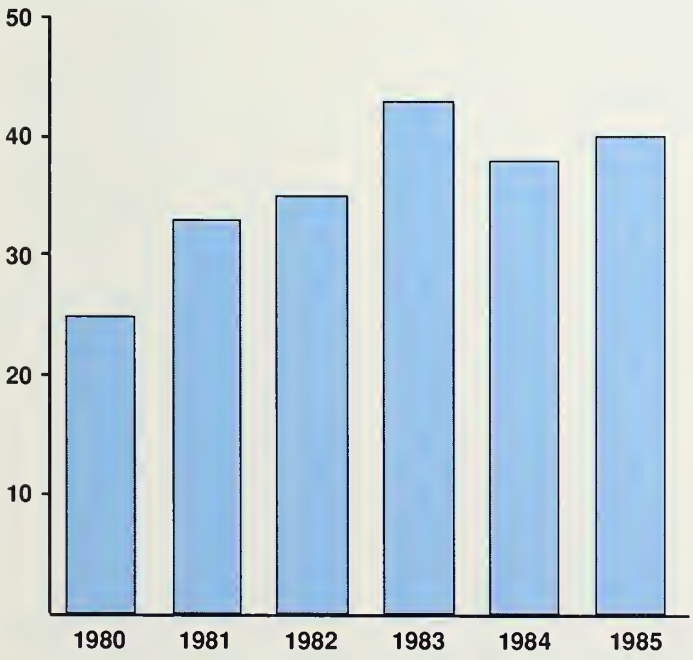
In 1985, most delinquency petitions filed in Cook County involved property offenses.

PROPERTY OFFENSES		
Burglary	3,071	
Theft over $300, auto theft, and arson	1,021	
Lesser theft offenses	2,994	
Lesser property offenses	3,601	
Subtotal	**10,687**	(56%)
VIOLENT OFFENSES		
Homicide/manslaughter	72	
Aggravated battery/assault	2,013	
Armed robbery	199	
Robbery	1,133	
Sex offenses	539	
Battery/assault	2,058	
Subtotal	**6,014**	(31%)
OTHER OFFENSES		
Weapons charges	872	
Drug charges	627	
Miscellaneous charges	909	
Subtotal	**2,408**	(13%)
TOTAL	**19,109**	

Note: See note 13 for definitions of some crime categories.
Source: Juvenile Court of Cook County

Figure 5–10.

In recent years, more delinquency petitions in Illinois are resulting in findings of delinquency.



Source: Administrative Office of the Illinois Courts (Probation Division)

Almost 29 percent of the property offenses named in the delinquency petitions were for burglary or attempted burglary. Thirty-four percent of the violent offenses involved simple assault and battery (and related offenses). The more serious aggravated battery and aggravated assault offenses (and related crimes) accounted for another third of the violent offenses.

WHAT PERCENTAGE OF JUVENILE SUSPECTS ARE FOUND DELINQUENT?

In about 25 percent of the delinquency petitions disposed of statewide in 1980, the accused juveniles were found delinquent in court (Figure 5-10).[14] In 1981, when the number of delinquency petitions filed in the state reached a six-year high, approximately one-third of the petitions disposed of that year resulted in findings of delinquency.

Over the next few years, the number of delinquency petition filings declined slightly, but the percentage of petitions resulting in findings of delinquency generally increased. This percentage rose to 35 percent in 1982 and 43 percent in 1983. Although there was a slight decrease to 38 percent in 1984, more than 40 percent of the juvenile petitions filed in 1985 resulted in findings of delinquency.

HOW MANY JUVENILES ARE TRIED AS ADULTS IN ILLINOIS?

A juvenile in Illinois may be transferred to adult court and prosecuted under the state's criminal law in one of two ways. One involves a discretionary transfer initiated by a state's attorney and ordered by a juvenile court judge; the other transfer is automatic under state law.

Illinois' Juvenile Court Act permits state's attorneys to ask juvenile court judges to transfer certain suspected juvenile offenders to adult court. The juvenile must be aged 13 or older, and the youth must be accused of an offense that would be criminal if committed by an adult. The prosecutor's request is reviewed by a juvenile court judge in what is commonly known as a "702 hearing." If the judge determines it is in the best interests of the minor and the public not to proceed in juvenile court, the judge may order the juvenile tried in adult court.

In addition, Illinois law since 1982 has required that some juvenile suspects be transferred to adult court automatically. Any juvenile charged with murder, aggravated criminal sexual assault, or armed robbery with a firearm who was at least 15 years old at the time of offense must be tried in adult court. In 1986, certain drug crimes and weapon violations committed in or near a school were added to the list of offenses carrying an automatic transfer.

Reliable statewide statistics on the number of transfer hearings and the number of juveniles tried as adults are not available. However, data on juveniles tried as adults in Cook County (where, presumably, a large percentage of the transfers in the state occur) show how Illinois' automatic transfer law has prompted a sharp increase in the number of juveniles prosecuted in the criminal courts in recent years.

According to data collected by the Chicago Law Enforcement Study Group, the number of juveniles tried as adults in Cook County remained relatively stable between 1975 and 1981. The figure ranged from a low of 39 in 1977 to a high of 63 in 1981 (Figure 5-11).[15] In 1982, the number of transfers increased to 139, including 37 that were automatic under the state law that took effect in September of that year. During the next two years, the number of discretionary transfers dropped significantly, since many cases that would have previously gone through 702 hearings were covered under the automatic transfer law. Meanwhile, the number of automatic transfers rose to 150 or more in both 1983 and 1984. In 1984, 167 juveniles were tried as adults in Cook County, an increase of 215 percent over the 1975 total of 53.

WHAT TYPES OF DISPOSITIONS DO JUVENILE OFFENDERS RECEIVE?

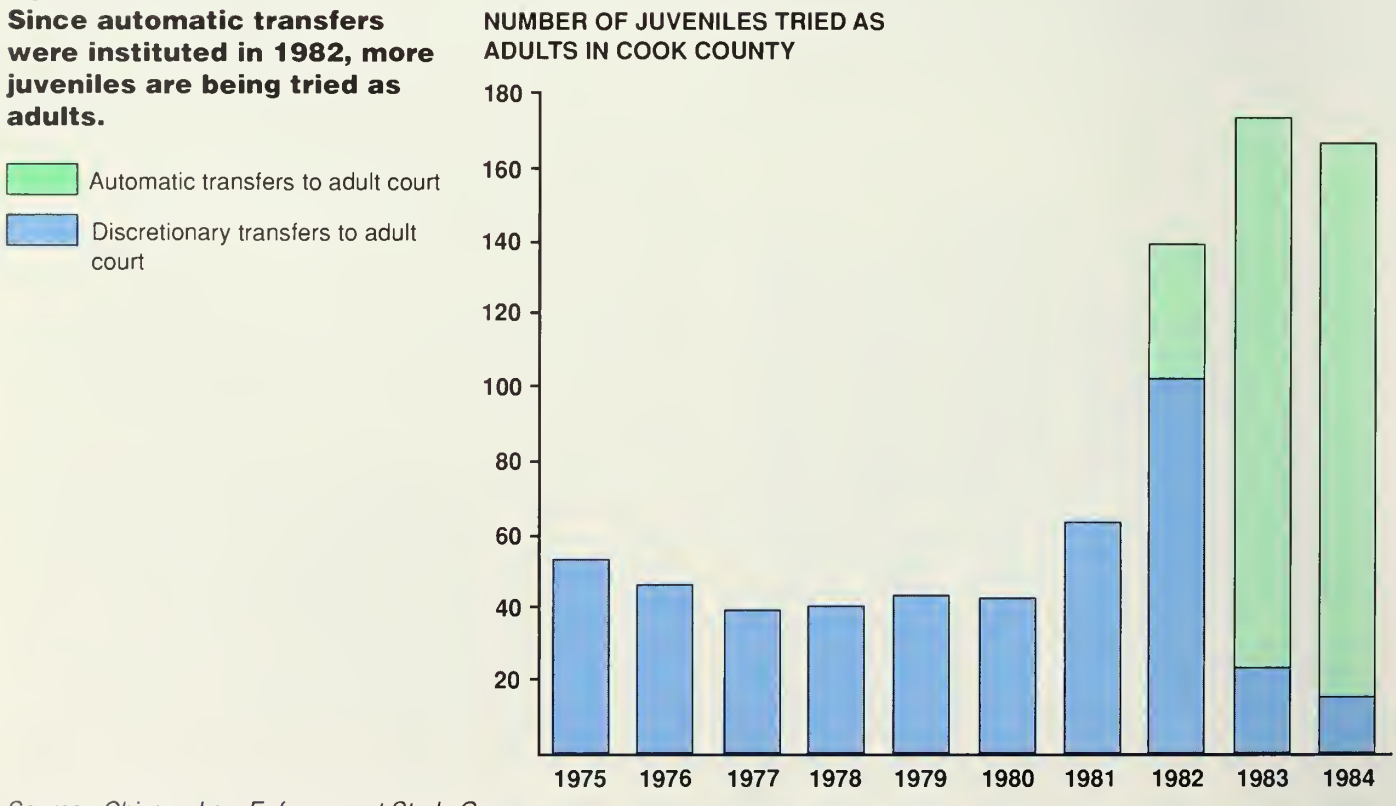
A juvenile found delinquent in Illinois may receive one or more of the eight types of dispositions specified in the Juvenile Court Act:

1) Probation.
2) Conditional discharge.
3) Placement outside the juvenile's home.
4) Drug or alcohol treatment.
5) Commitment to the Illinois Department of Children and Family Services.
6) Commitment to the Illinois Department of Corrections' Juvenile Division.
7) Detention for 30 days in a county facility.
8) Emancipation.[16]

Only juveniles aged 13 or older who have been adjudicated delinquent, or those aged 15 or older who have been convicted and sentenced as an adult, may be committed to the Illinois Department of Corrections (IDOC) for either institutionalization in a youth center or assignment to a program of community-based supervision. Providing care, custody, rehabilitation, and aftercare services for young offenders that the courts commit to IDOC is the responsibility of IDOC's Juvenile Division. IDOC operates seven youth centers, which provide institutional programs and services for juveniles (Figure 5-12).

Figure 5–11.

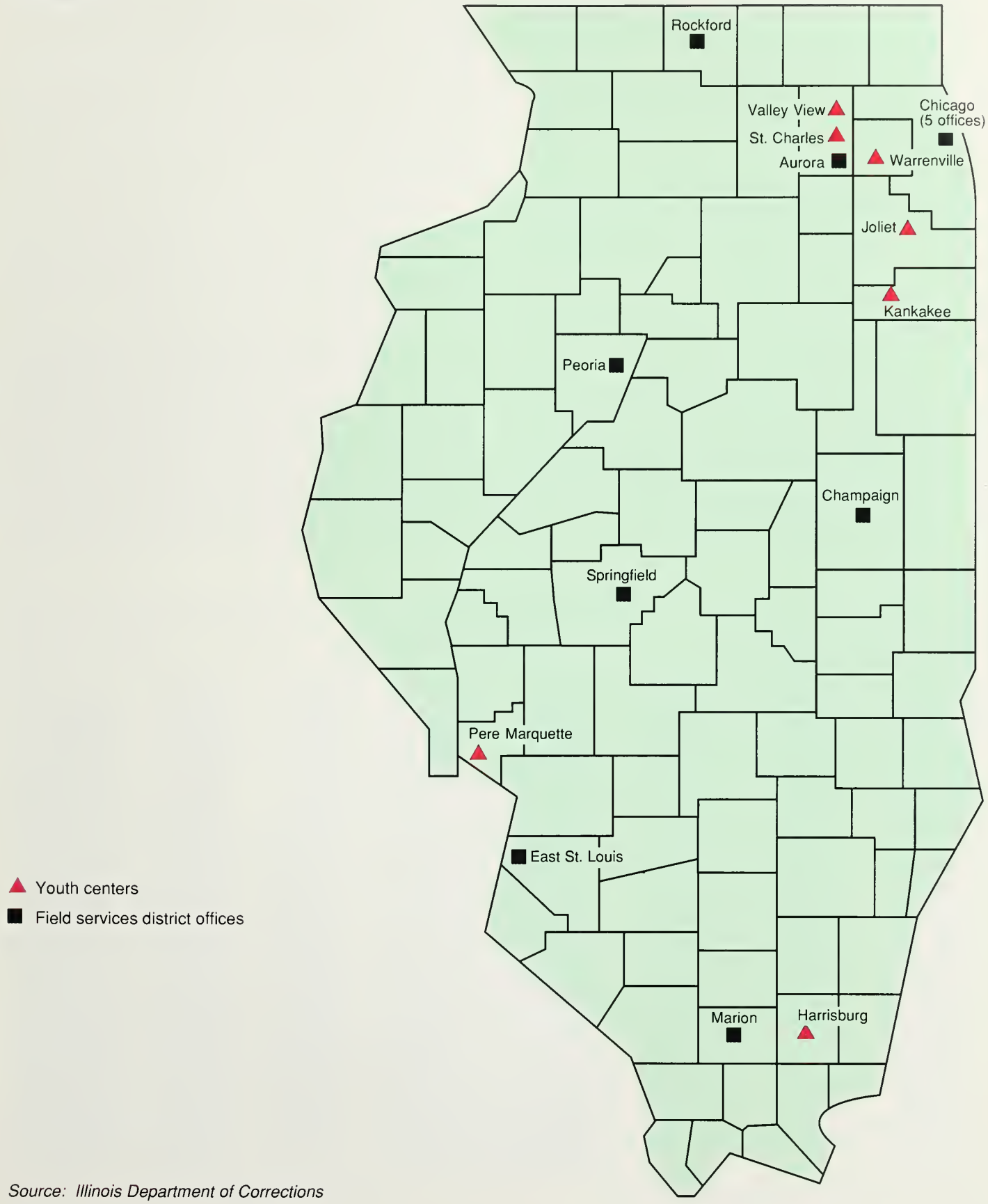
Since automatic transfers were instituted in 1982, more juveniles are being tried as adults.



Source: Chicago Law Enforcement Study Group

Figure 5-12.

Illinois has seven youth centers for juvenile offenders.



Source: Illinois Department of Corrections

In addition, IDOC's 12 field services offices provide a variety of programs for young offenders who are back in the community. Field services, which are delivered either directly through IDOC staff or through other agencies the department contracts with, include parole, supervision of juveniles on extended or authorized absence from IDOC youth centers, alternative placements for youth unable to return home, and support services such as counseling and educational, vocational, and on-the-job training.

HOW MANY JUVENILES ARE IN INSTITUTIONAL CUSTODY?

Juveniles in "institutional custody" in Illinois include three different groups of young people:

1) Those housed in IDOC youth centers.
2) Those on extended or authorized absence from IDOC youth centers.[17]
3) Those under administrative placement (that is, under the custody of a youth center but housed in a mental health center, residential treatment center, or other specialized facility) or in administrative custody (that is, detained in a local jail or other detention facility after being taken into custody for another crime while on parole or specialized absence).

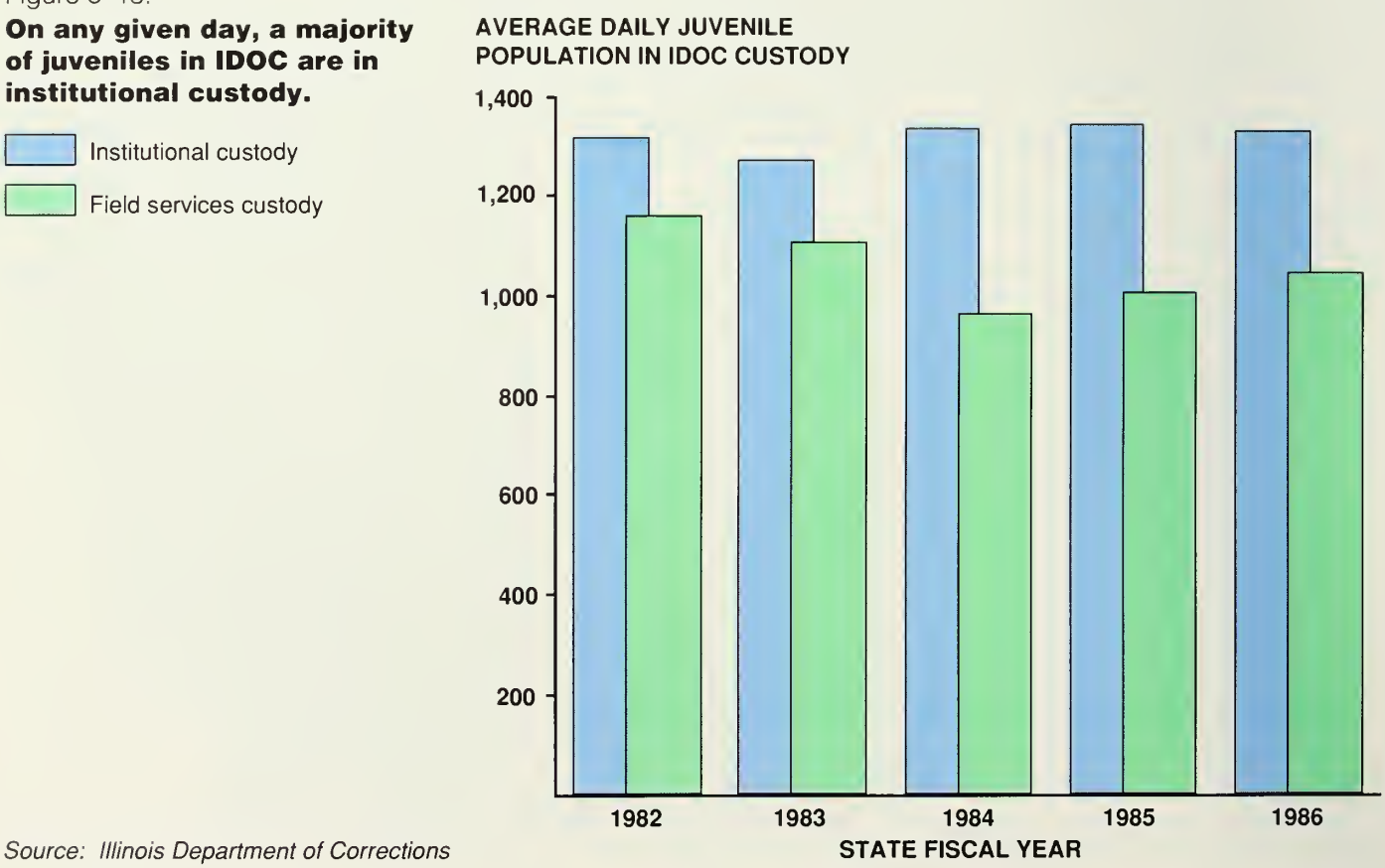
Juveniles committed to IDOC typically progress from institutional custody to field services supervision, although they may be returned to a juvenile facility if their parole is revoked or they are adjudicated delinquent for a new crime. While the juvenile population is in constant transition between institutional custody and field services supervision, slightly more juveniles are usually in institutional custody at any given time. During state fiscal year 1986, the average daily population of juveniles in institutional custody was 1,329, while the average daily population under field services supervision was 1,046 (Figure 5-13).[18]

The number of juveniles admitted to IDOC institutional custody increased 41 percent between fiscal 1981 and 1982, but then declined almost 20 percent over the next three years (Figure 5-14). In fiscal 1986, however, admissions rose 15 percent to 1,279.

The number of juveniles *released* from institutional custody has fluctuated since 1981. Releases increased 42 percent in fiscal 1983, declined 16 percent the next year, and then increased 16 percent in fiscal 1985. That year, the number of releases exceeded the number of admissions by slightly more than 200 juveniles. However, releases declined 5 percent in 1986, and they once again fell below the number of admissions.

Most of the juveniles in institutional custody are

Figure 5–13.
On any given day, a majority of juveniles in IDOC are in institutional custody.



Source: Illinois Department of Corrections

housed in IDOC's seven youth centers. During fiscal 1986, for example, IDOC's youth centers held close to 88 percent of the average daily institutional custody population (Figure 5-15).

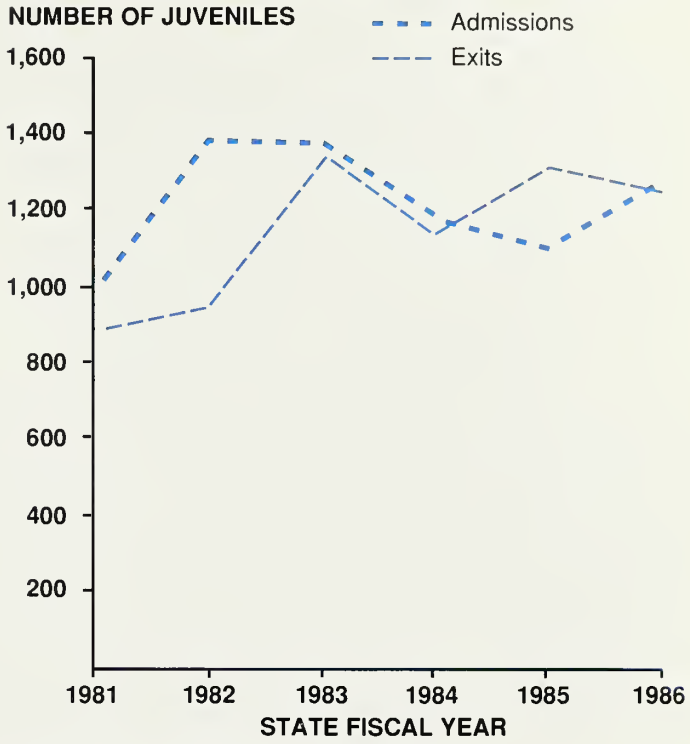
Other juveniles in institutional custody are on specialized leave programs, which are designed both to integrate young offenders back into the community and to administratively control the youth center population. Juveniles on extended or authorized absence represented about 6 percent of the average daily institutional custody population in fiscal 1982 and 13 percent in fiscal 1984. This percentage then decreased over the next two years to 9 percent in fiscal 1986. Juveniles under administrative placement or in administrative custody form the smallest group of juveniles in institutional custody: they accounted for slightly more than 3 percent of the average daily population during fiscal 1986.

UNDER WHAT CIRCUMSTANCES ARE JUVENILES ADMITTED TO DETENTION FACILITIES IN ILLINOIS?

As the number of juvenile admissions to institutional custody has decreased since 1982, the *types* of admissions have changed. The majority of juveniles admitted to institutional custody each year have received "new convictions" (in other words, these juveniles were not

Figure 5–14.

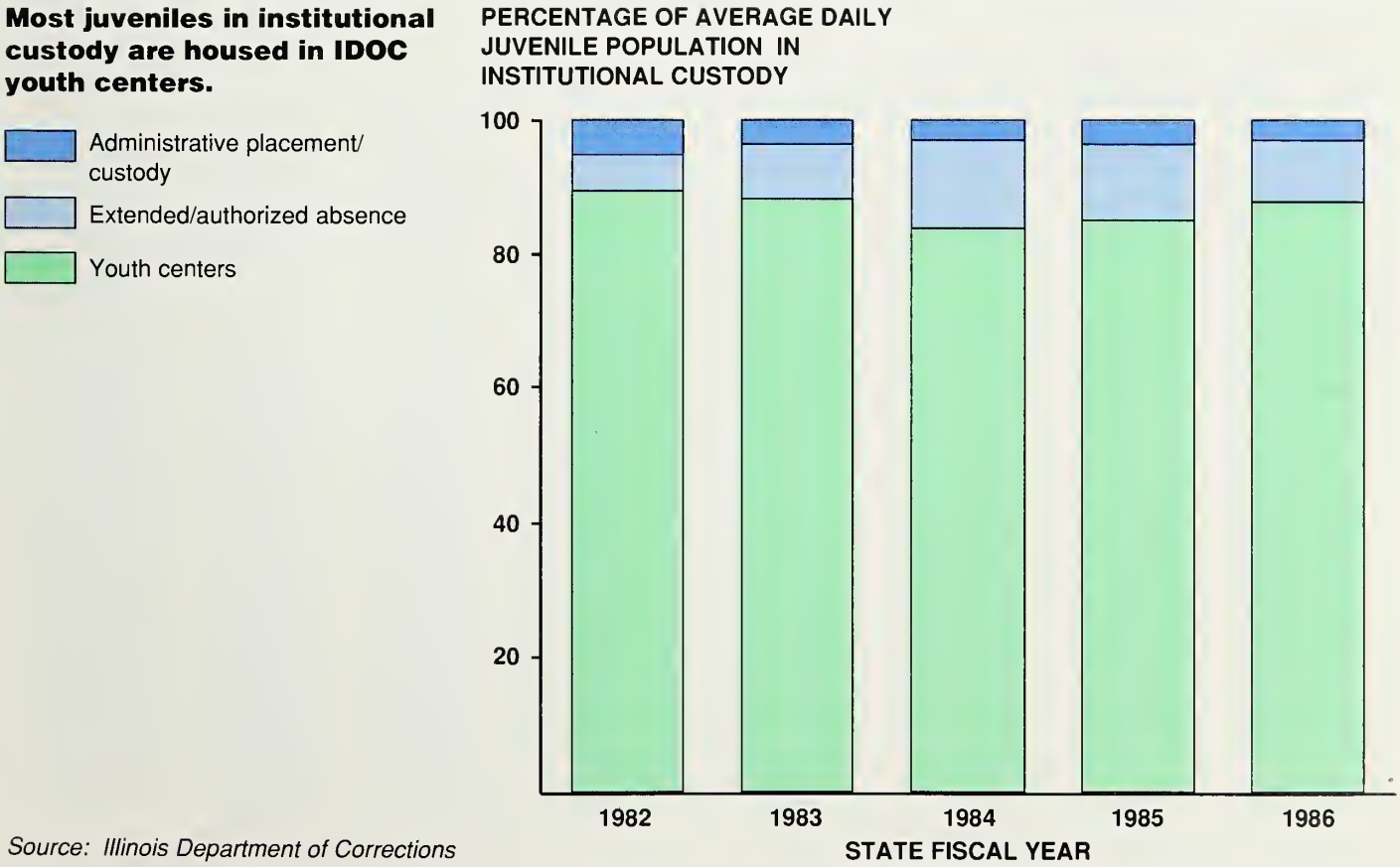
In 1986, admissions to IDOC institutional custody increased for the first time since 1982.



Source: Illinois Department of Corrections

Figure 5–15.

Most juveniles in institutional custody are housed in IDOC youth centers.



Source: Illinois Department of Corrections

under IDOC's jurisdiction at the time of their conviction). Newly convicted juveniles include those adjudicated delinquent in juvenile court and those convicted and sentenced in adult court.

The remaining admissions to institutional custody are juveniles already under IDOC's jurisdiction — either under field services supervision or in a facility serving time on a previous conviction. Juveniles under field services supervision (on parole or on extended or authorized absence) who violate the conditions of their release or who are convicted on another charge are considered "parole violators." Juveniles already serving time in facilities who are subsequently convicted on another pending charge are considered "recommitments."[19]

In fiscal 1982, juveniles newly adjudicated and sentenced in juvenile court made up 79 percent of all admissions to institutional custody, but in fiscal 1984, that percentage had decreased to about 60 percent (Figure 5-16). This 19 percent drop was offset by increases in the proportion of two other admission types: juveniles newly convicted in adult court and recommitments. The number of juveniles admitted as parole violators fluctuated during this time.

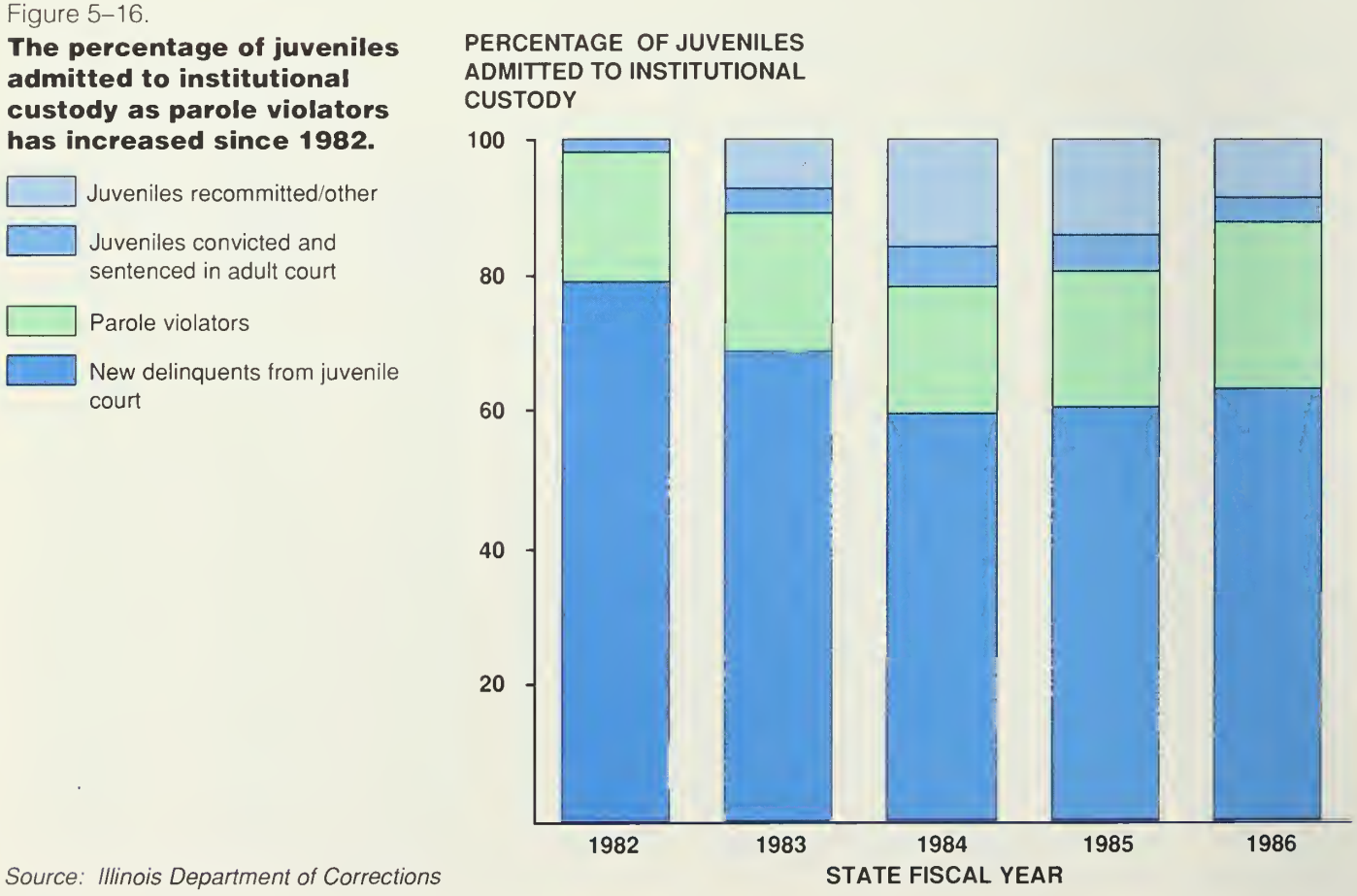
After fiscal 1984, however, the pattern appears to have reversed. The proportion of admissions to institutional custody based on new adjudications in juvenile court increased from 60 percent in fiscal 1984 to 63 percent in fiscal 1986. Similarly, parole violators increased from 19 percent of all admissions in fiscal 1984 to 24 percent in fiscal 1986. During this time, the proportion of juveniles convicted in adult court decreased 2 percent, while the proportion of juveniles recommitted on additional convictions decreased 7 percent.

Although juveniles tried in adult court still represent a relatively small proportion of institutional custody admissions — about 4 percent in fiscal 1986 — these serious offenders will remain in IDOC institutional custody longer than other juvenile offenders. Length of stay for these juveniles increased 47 percent between fiscal 1983 and fiscal 1986, when it exceeded 25 months. Juveniles convicted in adult court must complete the determinate sentence imposed by the judge, minus any day-for-day or meritorious good-conduct credits they earn. On the other hand, IDOC officials, not the juvenile court judge, decide the length of stay for juveniles adjudicated and sentenced in juvenile court. However, sentences for habitual juvenile offenders are determined by judges rather than IDOC.

Since fiscal 1983, those juveniles committed to IDOC for any type of felony offense — from Class M

Figure 5–16.

The percentage of juveniles admitted to institutional custody as parole violators has increased since 1982.



Source: Illinois Department of Corrections

through Class 4 — have consistently made up almost three-quarters of all juveniles in institutional custody (Figure 5-17). Between fiscal 1982 and 1986, the proportion of juveniles committed for Class M, X, and 1 felonies rose nearly 16 percent to approximately 40 percent of the total institutional custody population.

WHAT IS THE DEMOGRAPHIC PROFILE OF JUVENILES IN INSTITUTIONAL CUSTODY?

The basic demographic profile of juveniles in IDOC institutional custody has not changed significantly in the past few years.[20] At the end of fiscal 1986, males continued to make up about 95 percent of all juveniles in institutional custody, and about 60 percent of the offenders had come from Cook County (this latter figure, however, was about 7 percent lower than the percentage at the end of fiscal 1982). There was also little change in the racial makeup of the juveniles in institutional custody. The proportion of blacks increased from 58 percent in June 1982 to 63 percent in June 1986, while the proportion of whites decreased from 34 percent to 29 percent during the same period (Figure 5-18).

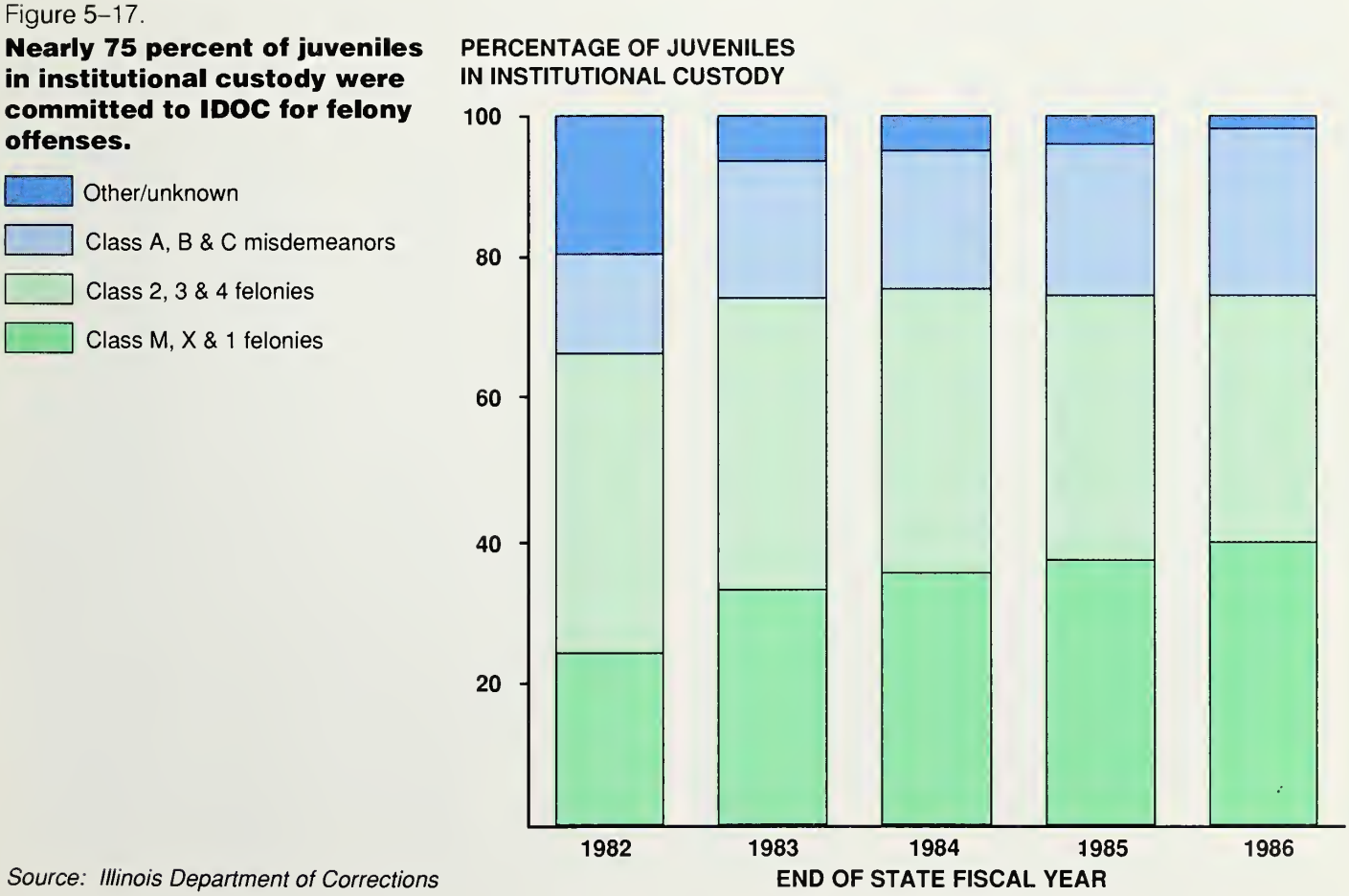
The age distribution of juveniles in institutional custody has also remained fairly stable, although there was a gradual aging of this population between fiscal 1982 and 1985. Slight decreases in the proportion of 15- and 16-year-olds were offset by increases in the proportion of 17-, 18-, and 19-year-olds (Figure 5-19). This may be explained by two factors:

1) Longer lengths of stay for juvenile offenders. Between fiscal 1982 and 1985, the average length of stay for delinquent minors rose from 11.5 months to 15 months, while the length of stay for juveniles tried as adults increased from about 17.5 months to more than two years.

2) An increase in the proportion of juveniles tried as adults who are being incarcerated. These offenders are most likely to serve the longest sentences.

In fiscal 1986, however, the age distribution pattern of the previous four years appeared to shift slightly. The proportion of both the youngest (ages 13 through 16) and the oldest (ages 19 through 21) groups increased slightly, while the proportion of the middle age group (ages 17 and 18) decreased during the year. These slight shifts in the age distribution may be related to changes in length of stay in 1986. Although the length of stay for the total population of juveniles in institutional custody had been increasing steadily since fiscal 1983, it fell from 14.4 months to 13.1 months in fiscal 1986. This

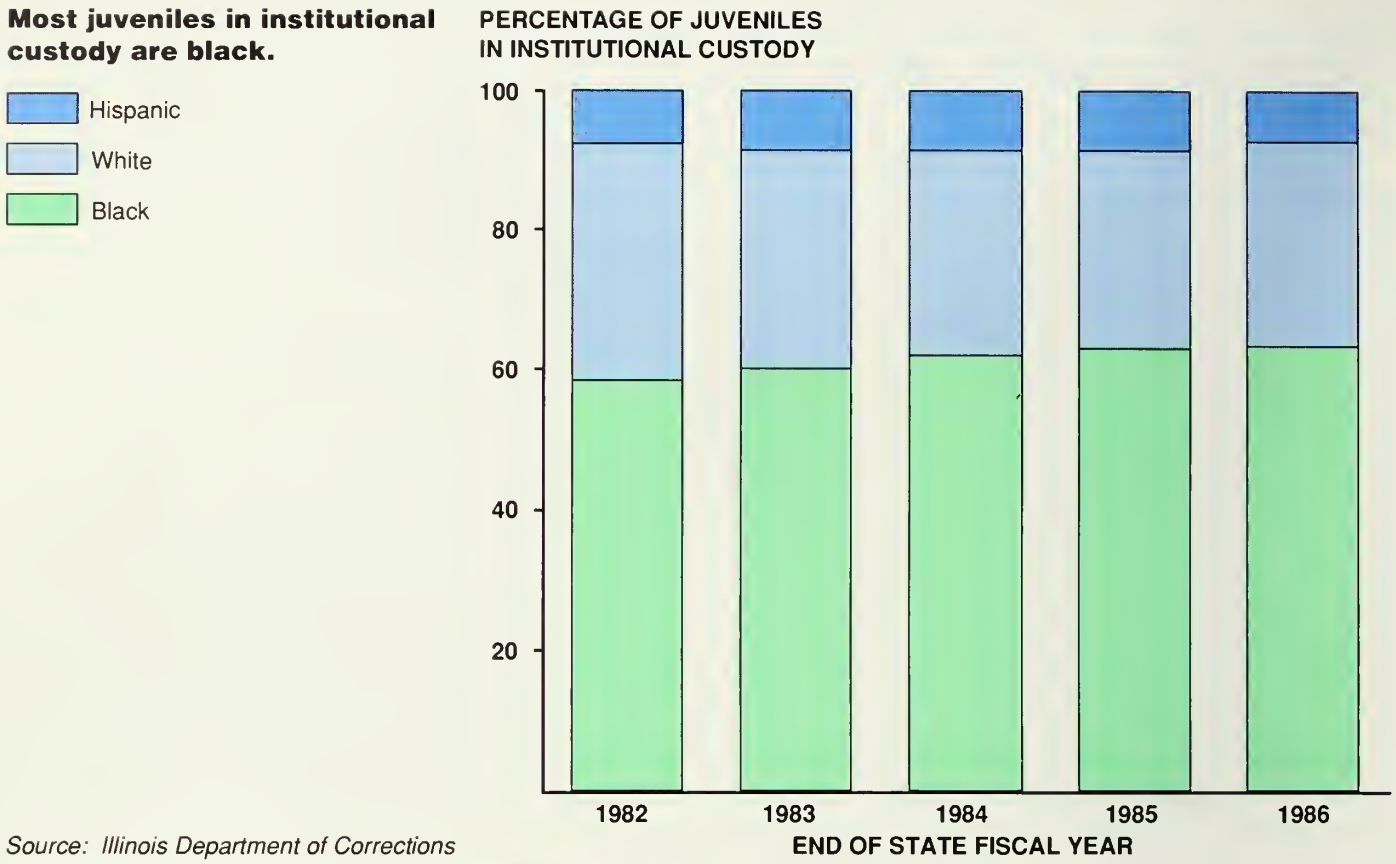
Figure 5–17.
Nearly 75 percent of juveniles in institutional custody were committed to IDOC for felony offenses.



Source: Illinois Department of Corrections

Figure 5–18.

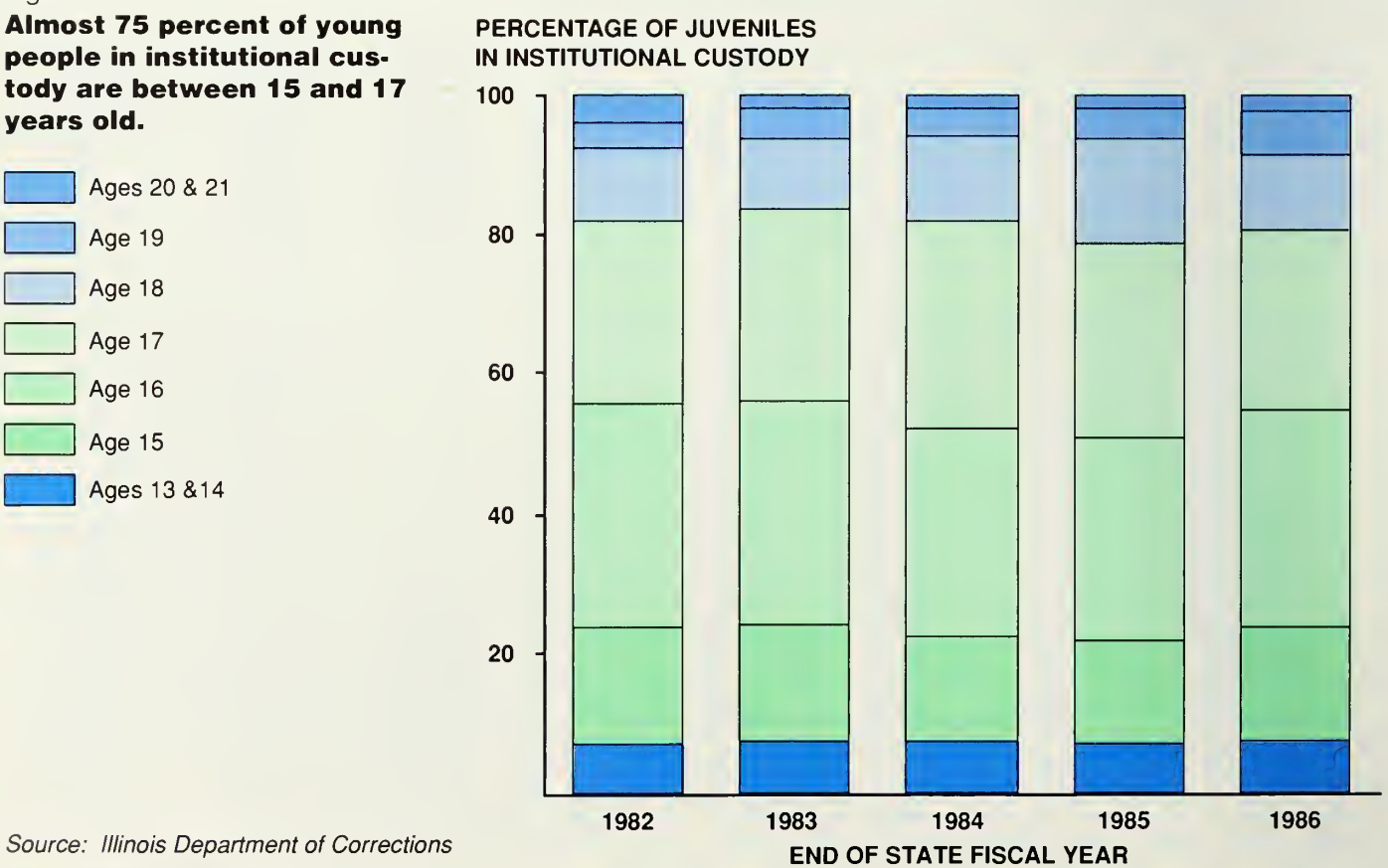
Most juveniles in institutional custody are black.



Source: Illinois Department of Corrections

Figure 5–19.

Almost 75 percent of young people in institutional custody are between 15 and 17 years old.



Source: Illinois Department of Corrections

may be due to a decline in the number of juveniles tried as adults who are leaving institutional custody (the length of stay for this group increased substantially in recent years, rising two months in fiscal 1986 alone) and to a higher parole rate.

The decrease in length of stay for the total juvenile population in institutional custody may have disrupted the previous aging trend. Yet, steady increases in the length of stay for those juveniles most likely to be serving the longest sentences — those tried as adults — may explain the higher proportion of 19- to 21-year-olds in institutional custody.

Even with these changes in the age distribution, a disproportionately high percentage of those in IDOC institutional custody are aged 16 and 17. These juveniles accounted for 57 percent of all 13- to 21-year-olds in institutional custody at the end of fiscal 1986. This figure is approximately 2.5 times greater than the percentage these two ages represented of all 13- to 21-year-olds in the state's population in 1986 (Figure 5-20).

Both 15- and 18-year-olds are also overrepresented in the state's institutional custody population, though not by as much as 16- and 17-year-olds. Because juveniles sentenced in adult court may be transferred to an adult institution at age 17, the proportion of youths aged 19 and older in juvenile institutional custody tends to be lower than their proportion of Illinois' 13- to 21-year-old population.

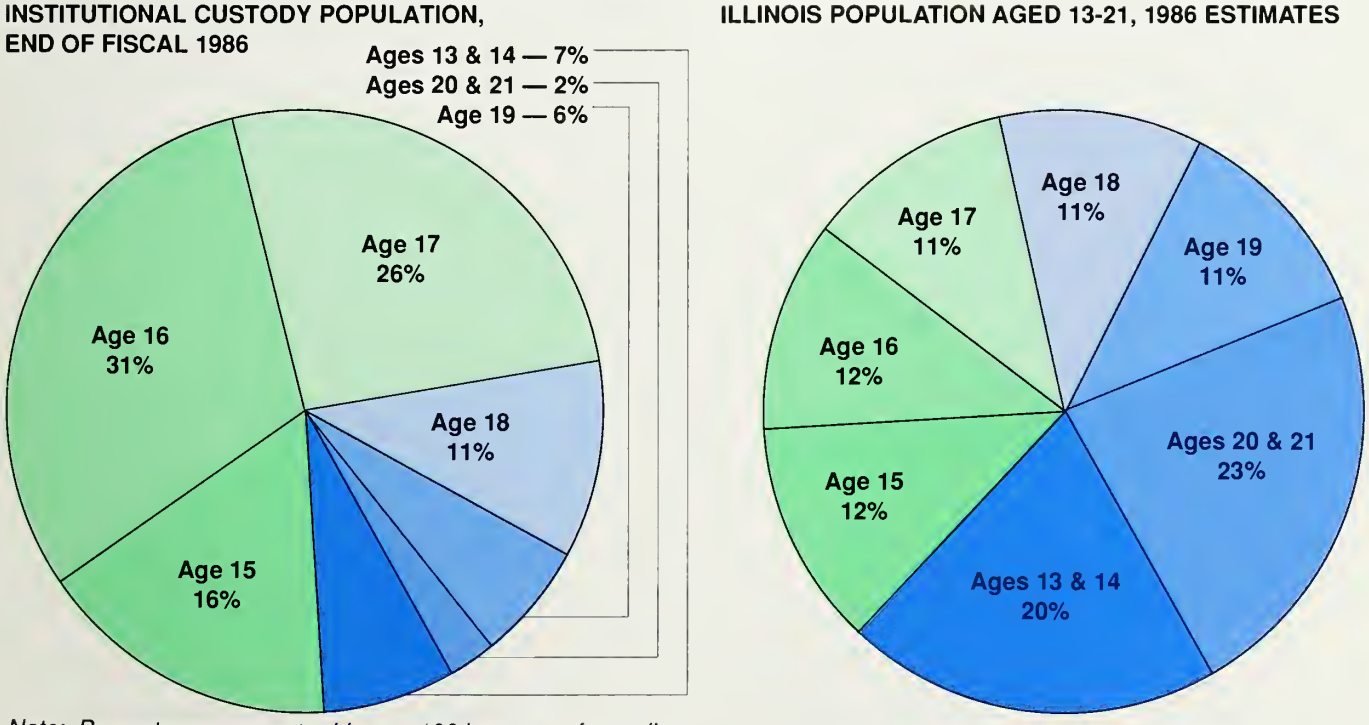
WHAT IS THE CONNECTION BETWEEN JUVENILE DELINQUENCY AND ADULT CRIME?

Throughout the juvenile justice process, authorities look for alternative dispositions that meet the needs of young offenders. The goal is to identify delinquent behavior early on, and then to take appropriate actions to prevent a young offender from becoming an adult criminal.

Juvenile delinquency, of course, does not inevitably lead to a life of adult crime. A central research issue is to identify factors that distinguish people who do continue criminal activity after early encounters with police from those who do not. Various studies have found the *characteristics* of juvenile delinquency to be the most reliable predictor of an adult criminal career.[21] Juveniles who engage in serious crime at an early age are those most likely to continue to commit crimes as adults. But when juvenile delinquency is absent, sporadic, or minor in nature, an adult criminal career is unlikely.

Research has also uncovered other factors that may explain the link between juvenile and adult offense patterns. One study suggests that the age at which an offender has the first recorded police contact shapes that

Figure 5–20.
A disproportionately high number of young people in institutional custody are aged 16 and 17.



Note: Percentages may not add up to 100 because of rounding.
Source: Illinois Department of Corrections; Illinois Bureau of the Budget

person's subsequent criminal career: the earlier the contact, the greater the likelihood that a relatively serious criminal career will follow.[22] In addition, there is evidence that the more serious the first police contact, the greater the likelihood that subsequent police contacts will follow.[23]

Another common notion is that as career criminals gain experience, they engage in increasingly more serious crimes than those they committed as juveniles. However, the evidence to support this hypothesis is relatively weak, except that, as already noted, the beginning of a criminal career at a young age tends to involve minor offenses. Studies have shown that the seriousness of the crimes committed does not systematically increase over time as juvenile offenders become adult criminals.[24]

Other researchers have investigated the question of how offense *rates* vary over a person's criminal career. Their studies seem to indicate that offense rates are highest during the juvenile years, but then decrease during the adult years.[25] In the characteristic pattern, delinquent activity begins at about age 14, the offense rate increases until the early 20s, and then tends to decline thereafter until age 30, when the majority of criminal careers end.

Research has also suggested different *motivations* for juvenile and adult offenders. While juvenile crime is often motivated by excitement, attention, and peer recognition, the motivation tends to shift to instrumental needs in later years. In other words, adults tend to commit crimes for what they yield (for example, habitual stealing to support day-to-day necessities).[26]

In terms of criminal *sophistication*, another common notion is that an impulsive juvenile offender often matures into a professional criminal as an adult. In pursuing crime as a preferred occupation, the notion holds, the adult criminal continually develops improved skills, becomes more specialized, and steadily increases profits. Research, however, does not support many of these traditional images of criminal development.[27] For example, adult criminals generally do not plan their crimes and do not specialize in particular types of crimes any more than juvenile offenders do. In addition, income from criminal activity — a natural index of criminal sophistication — does not necessarily increase when a juvenile becomes an adult offender.

Finally, there are some indications that criminal sanctions applied to juvenile offenders may actually be counterproductive in stemming future criminal activity. One study showed that as the number of contacts a juvenile had with police before the age of 18 grew, and as the seriousness of the sanctions the juvenile received also increased, the juvenile tended to have more police contacts after turning 18.[28] Of course, this result may simply indicate that criminal sanctions tend to be selective: sanctions are more likely to be applied against offenders who are correctly perceived as serious. But it may also be reasonable to assume that a young person's experience in jail or prison fosters "professional" relationships with other criminals, generates frustration with society, and compounds the difficulty an offender has in obtaining legitimate employment after being released. Consequently, incarceration may create pressures to continue a criminal career.

Research, then, has cited many factors believed to be associated with long-term criminal activity. The next step is to use this information to identify those juvenile offenders who are likely to perpetuate their criminal activities as adults so that the system can effectively intervene first. In Illinois, however, as in many other states, the philosophy that distinguishes juvenile justice from criminal justice promotes the confidentiality of juvenile records. While this approach may protect young offenders from negative labeling that could interfere with their rehabilitation, and may guard against other misuses of the information, it can also inhibit the flow of information about juvenile offenders who may eventually become career criminals.[29]

To address the problem of repeat juvenile offenders, the federal Office of Juvenile Justice and Delinquency Prevention has begun developing, in certain regions of the country, pilot information systems on serious, habitual young offenders and those involved with drugs. Eventually, the federal agency plans to implement these regional systems throughout the country. By collecting information on juvenile "career criminals," these programs could help identify critical links between juvenile delinquency and adult crime.

Notes

[1] Barbara Boland, "Fighting Crime: The Problem of Adolescents," *The Journal of Criminal Law and Criminology* 71 (Summer 1980), pp. 94-97.

[2] Status offenders are those juveniles whose behavior violates the law only because of their status as juveniles. For example, running away from home is a "status offense" because the status of the perpetrator — being a minor — is a necessary element of the offense. The same behavior by an adult would not violate the law.

[3] This breakdown of the types of juvenile petitions filed in 1985 is based on a total of 26,657 cases. This figure differs from the total number of cases for 1985 reported in Figure 5-1 (27,524) because the two numbers come from different sources. The lower number represents data reported in the Administrative Office of the Illinois Courts' *Probation Division Statistical Report*. The higher figure comes from AOIC's *Annual Report to the Illinois Supreme Court*.

[4] The percentage of dependent minor petitions includes only those petitions filed outside Cook County. In Cook County, dependent minor and neglected or abused minor petitions are counted under the same category — neglected or abused minors. Therefore, the statewide percentage of neglected or abused minor petitions is artificially high, while the percentage of dependent minor petitions is artificially low. Also, although addicted minors may be considered a unique category, AOIC's Probation Division reports the filing of addicted minor petitions together with MRAI filings. No addicted minor petitions were filed in Cook County in 1985, which suggests that these minors either were referred to social-service agencies or were handled through some other type of petition, such as a delinquent minor petition.

[5] In the same way, UCR *adult* arrest statistics probably undercount the actual number of police contacts with adults. For example, a fight between neighbors in a local tavern may result in a complaint that was "handled" by police, rather than an arrest for assault. For more information about UCR arrest statistics in Illinois, see Louise S. Miller and Carolyn R. Block, *Introduction to Illinois Uniform Crime Reports* (Chicago: Illinois Criminal Justice Information Authority, 1985).

[6] Ill.Rev.Stat.1985, ch. 37, par. 705-12.

[7] Ill.Rev.Stat.1985, ch. 37, par. 701-17(6)(a).

[8] Remember, however, that these arrest statistics probably *undercount* juvenile involvement in crime because police informally "adjust" many less serious cases involving juveniles. At the same time, because several juveniles are often arrested for a single offense, arrest figures may *overcount* the number of offenses committed by juveniles.

[9] For more information about crimes committed by groups of juveniles, see Franklin E. Zimring, "Kids, Groups, and Crime: Some Implications of a Well-Known Secret," *The Journal of Criminal Law and Criminology* 72 (Fall 1981); or Carolyn R. Block, *Lethal Violence in Chicago over Seventeen Years* (Chicago: Illinois Criminal Justice Information Authority, 1985), pp. 7-8.

[10] Changes in Illinois' sexual assault law, which are explained in Chapter 1, may be partially responsible for this increase in the proportion of juveniles involved in sexual assault arrests.

[11] Comparable juvenile arrests statistics for drug offenses prior to 1981 were unavailable.

[12] Statistics on the number of delinquency petitions filed were unavailable for the following counties in the years indicated:

- 1980 — Hancock, Jasper, Macoupin, Mercer, Peoria, Pope, and Whiteside.
- 1981 — Jasper, Macoupin, and Stark.
- 1982 — Calhoun, Clinton, Johnson, Macoupin, Marion, Massac, and Stark.
- 1983 — Clinton, Coles, Cumberland, Jasper, and Montgomery.
- 1984 — Jasper and Stark.
- 1985 — Bond, Montgomery, and Stark.

[13] For each crime category included in Figure 5-9, *attempted* offenses are included in the total if an attempt is indeed a statutory offense. Other definitions are as follows:

- "Lesser theft offenses" include theft of goods valued at less than $300, theft from a person, residential burglary, retail theft, attempts of these crimes, and various minor theft charges.
- "Lesser property offenses" include bribery, forgery, solicitation, possession of stolen property, possession of a stolen auto, criminal trespass to land,

criminal damage to property, attempts of these crimes (where applicable), and other lesser property crimes.

- "Aggravated battery/assault" includes kidnapping, unlawful restraint, aggravated arson, heinous battery, and attempted kidnapping.
- "Sex offenses" include criminal sexual assault, criminal sexual abuse, aggravated criminal sexual assault, aggravated criminal sexual abuse, attempts of these crimes, and sexual relations within the family.
- "Miscellaneous charges" include intimidation, mob action, and attempted mob action.

[14] In calculating the percentage of delinquency petitions that resulted in findings of actual delinquency, only those counties for which AOIC published both delinquency petition totals and delinquency adjudication totals were included. As a result, the following counties were *not* included in the calculations for the years indicated:

1980 — Coles, Cumberland, DuPage, Hancock, Jasper, Macoupin, Mercer, Peoria, Pope, and Whiteside.

1981 — Coles, Cumberland, Jasper, and Stark.

1982 — Calhoun, Clinton, Coles, Cumberland, Johnson, Marion, Massac, and Stark.

1983 — Clinton, Coles, Cumberland, Jasper, Montgomery, and Peoria.

1984 — Jasper and Stark.

1985 — Bond, Montgomery, and Stark.

[15] These statistics are based on data collected by the Chicago Law Enforcement Study Group as part of the organization's research into juvenile transfers in Illinois. For their own management purposes, various other sources collect data on the number of juveniles tried as adults in Cook County as well.

[16] Emancipation applies to any minor aged 16 or older who has been completely or partially emancipated under the Emancipation of Mature Minors Act (Ill.Rev.Stat.1985, ch. 40, par. 1102). With the approval of a minor's parents or guardians, the court may allow a mature minor to live wholly or partially independent from parents or guardians, if the minor has demonstrated the ability to manage the minor's own affairs. Under this act, the minor has the right to enter into valid legal contracts and has other rights ordered by the court. Partial emancipation provides only those rights specified by court order.

[17] Although juveniles on extended or authorized absence are supervised by the field services program of IDOC's Juvenile Division, they are still considered to be in institutional custody.

[18] Illinois fiscal years run from July 1 through June 30 (for example, fiscal 1986 began July 1, 1985, and ended June 30, 1986).

[19] The "juveniles recommitted/other" category in Figure 5-16 also includes juveniles admitted to institutional custody on court evaluations.

[20] Data describing the sex, race, age, and crime class of the IDOC institutional custody population includes youth on extended or authorized absence for the period of 1982 through 1985. However, this group is excluded from these categories in 1986 data because of a change in IDOC reporting practices.

[21] See, for example, the following: Marvin Wolfgang, "Crime in a Birth Cohort," *Proceedings of the American Philosophical Society* 177 (1973), pp. 404-411; Wolfgang, *From Boy to Man — From Delinquency to Crime* (paper presented at the national Symposium on the Serious Juvenile Offender, 1977); Wolfgang, Robert Figlio, and Thorsten Sellin, *Delinquency in a Birth Cohort* (Chicago: University of Chicago Press, 1972); Michael R. Olson, *A Longitudinal Analysis of Official Criminal Careers* (doctoral dissertation, University of Iowa, 1977); Lyle W. Shannon, "A Longitudinal Study of Delinquency and Crime," in *Quantitative Studies in Criminology* (Beverly Hills, Calif.: Sage Publications, 1978); Shannon, *A Cohort Study of the Relationship of Adult Criminal Careers and Juvenile Crime* (paper presented at the University of Stockholm, Sweden, 1978); and David Pritchard, "Stable Predictors of Recidivism: A Summary," *Criminology* 17 (1979), pp. 15-21.

[22] Olson, 1977, and Shannon, 1978 (see note 21, above).

[23] Wolfgang, 1972 (see note 21, above).

[24] Shannon, 1978, and Wolfgang, 1977 (see note 21, above).

[25] Joan Petersilia, Peter W. Greenwood, and Marvin Lavin, *Criminal Careers of Habitual Felons* (Washington, D.C.: U.S. Government Printing Office, 1978).

[26] See, for example, Petersilia, Greenwood, and Lavin, 1978 (see note 25, above); Daniel Glaser, "The Classification of Offenses and Offenders," in *The Handbook of Criminology* (Skokie, Ill.: Rand McNally, 1974); and Mark Peterson, Harriet Braiker, and Sue Polich, *Doing Crime: A Survey of California Inmates* (Santa Monica, Calif.: The Rand Corporation, 1980).

[27] Petersilia, Greenwood, and Lavin, 1978 (see note 25, above).

[28] Shannon, 1978 (see note 21, above).

[29] *Juvenile Justice Information Policies in Illinois* (Chicago: Illinois Criminal Justice Information Authority, 1986).

APPENDIX A

Glossary

Abused minor. Anyone aged 17 or younger who has been physically abused or whose environment is harmful to the minor's welfare.

Addicted minor. Anyone aged 20 or younger who is addicted to alcohol or any illegal substance.

Administrative custody. The status that describes a *juvenile* who is detained in a local *jail* or other detention facility while on *parole* or on *extended or authorized absence*.

Administrative Office of the Illinois Courts. An agency of the *Illinois Supreme Court* that oversees the operations of all subordinate courts in the state, including the *Illinois Appellate Court* and the *Circuit Courts*. AOIC also supervises the operations of individual *probation* departments in Illinois.

Administrative placement. The status that describes a *juvenile* who is under *institutional custody*, but who is housed in a mental health center, residential treatment center, or other specialized facility.

Admissions. See *prison admissions*.

Age-specific arrest rates. The number of *arrests* for a specific age group divided by the number of people in that age group for a certain year; age-specific arrest rates in this report are expressed as the number of arrests per 100,000 population.

Aggravated assault. An *index crime* for the intentional causing of, or attempt to cause, serious bodily harm, or the threat of serious bodily injury or death. Index aggravated assault includes aggravated assault, aggravated battery, and attempted murder. In Illinois, "assault" is a threat, while "battery" is an actual attack. "Aggravated" means that serious bodily harm, or the threat of serious bodily harm, is involved.

AOIC. See *Administrative Office of the Illinois Courts*.

Appellate Court. See *Illinois Appellate Court*.

ARIMA. "AutoRegressive Integrated Moving Average," which is a standard method for forecasting various types of data, including criminal justice data.

Arraignment. A court hearing in which the identity of the *defendant* is established, the defendant is informed of the *charges* that have been filed, and the defendant enters a *plea* of guilty or not guilty to the charges.

Arrest. The taking into police custody of someone believed to have committed a crime, regardless of whether or not the person is formally charged.

Arrest warrant. A document issued by a judicial officer that directs law enforcement officers to arrest a person who has been accused of a specific *offense*.

Arson. An *index crime* for the willful or malicious burning of, or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle, aircraft, or personal property of another. Arson became an index crime only in 1980, and, because of definitional differences, pre-1980 arson data cannot be compared with index arson figures.

Associate judge. A judge of the *Circuit Court* who is usually limited to presiding over *misdemeanor* cases or sometimes *pretrial proceedings* in *felony* cases. Associate judges are appointed by the chief judge of the *judicial circuit*. See also *circuit judge*.

Authorized absence. See *extended or authorized absence*.

Automatic transfer. The automatic movement of a suspected *juvenile* offender to adult court for prosecution. In Illinois, any juvenile charged with murder, aggravated

criminal sexual assault, armed robbery with a firearm, or certain drug or weapons violations committed in or near a school, who was at least 15 years old at the time of the *offense*, must be tried as an adult. See also *discretionary transfer*.

Bail. Money or property that a *defendant* pledges to the court, or actually deposits with the court, to secure release from legal custody pending further criminal proceedings following an *arrest*. In Illinois, the amount of cash bail is usually 10 percent of the *bond* the court sets.

Bench trial. In criminal proceedings, a trial in which there is no jury and in which a judge decides all issues of fact and law in the case. See also *jury trial*.

Bill of Rights for Victims and Witnesses of Violent Crime. A 1984 Illinois law designed to ensure that violent crime victims and witnesses are treated fairly and compassionately (Ill.Rev.Stat.1985, ch. 38, par. 1401 et. seq.). Among other things, the law requires criminal justice officials to keep victims informed of developments in their cases and to help victims seek emotional and monetary assistance.

Bond. A document that guarantees the *defendant* will appear for future court dates as required and that records the pledge of money or property to be paid to the court if the defendant does not appear. See also *bail*.

Bond hearing. A *pretrial proceeding* in which the *defendant* is formally notified of the *charges* that have been filed and a *bond* is set to ensure the defendant will appear at subsequent court dates.

Burglary. An *index crime* for the unlawful entry of a structure to commit a felony or theft. Index burglary also includes attempted burglary.

CCH. See *Computerized Criminal History system*.

Charge. An allegation that a specific person has committed a specific *offense*. Charges are recorded in various *charging documents*, such as a *complaint*, *information*, or *indictment*.

Charging document. A formal written statement submitted to the court that alleges a specific person has committed a specific *offense*. Charging documents include *complaints*, *indictments*, and *informations*.

Circuit Court. A trial-level court that hears and resolves *felony* and *misdemeanor* cases. In Illinois, these trial courts are organized into 22 *judicial circuits*.

Circuit judge. A judge of the *Circuit Court*, elected to a six-year term by the voters in that *judicial circuit*, who usually presides over *felony* cases only. See also *associate judge*.

Class M. An *offense class* that covers only murder.

Class X. An *offense class* that includes such serious *felonies* as attempted murder, armed robbery, and aggravated criminal sexual assault. Class X offenders are not eligible for alternative sentences such as *probation* or *conditional discharge*; instead, they must serve time in *prison*.

Clearance rate. The number of *offenses* cleared divided by the number of reported offenses, expressed as a percentage. "Offenses cleared" include crimes "cleared by *arrest*" (when at least one suspect is arrested for the offense) and crimes "cleared exceptionally" (when police identify the likely offender, but for exceptional reasons — such as the death of the suspect — they cannot make an arrest).

Collar counties. The six counties in the immediate Chicago area: DuPage, Kane, Lake, McHenry, Will, and suburban Cook.

Community correctional center. A community-based correctional facility that offers selected low-risk inmates the opportunity to make the transition from institutional life to the community through a structured intermediate step. Some of the state's 15 community correctional centers are operated directly by the *Illinois Department of Corrections*, while other centers are used on a contractual basis from other organizations.

Commutation. A type of *executive clemency* in which an offender's *prison* sentence is reduced. A commutation generally does not connote "forgiveness;" rather, it is used to shorten an excessively or unusually long sentence. See also *pardon*.

Complaint. A verified written statement other than an *information* or *indictment*, presented to a court, which charges a specific person or persons with the commission of an *offense*.

Computerized Criminal History system. The state central repository for criminal history record information, operated by the *Illinois Department of State Police*.

Conditional discharge. A court-imposed sentence similar to *probation*, except that the level of supervision of the offender is limited. Technically, it is "a sentence or disposition of conditional and revocable release without probationary supervision but under such conditions as may be imposed by the court" (Ill.Rev.Stat.1985, ch. 38, par. 1005-1-4).

Crime Index. A group of eight serious crime categories that together give some indication of the level, fluctuation, and distribution of reported crime in the United States as a whole, in individual states, and in local jurisdictions.

Four of these *index crimes* are *violent crimes — murder, sexual assault, robbery,* and *aggravated assault* — and four are *property crimes — burglary, larceny/theft, motor vehicle theft,* and *arson.*

Crime rate. The number of reported index offenses divided by the population at risk. Crime rates in this report are represented as the number of reported offenses per 100,000 population.

Crime Victims Compensation Program. A state program, administered by the *Illinois Attorney General's* Office and the *Illinois Court of Courts*, that compensates innocent violent crime victims for expenses incurred as a direct result of their victimizations — for example, medical costs, counseling, and loss of earnings.

D-bond. See *detainer bond.*

DCFS. See *Illinois Department of Children and Family Services.*

Defendant. A person formally accused of an *offense* by the filing in court of a *charging document.*

Defendant disposition. The class of prosecutorial or judicial action which terminates or provisionally halts proceedings regarding a given *defendant* in a criminal case after *charges* have been filed in court.

Delinquency petition. A formal written statement accusing a specific *juvenile* of actions or conduct which, if committed by an adult, would be in violation of criminal law.

Delinquent minor. A person who has been adjudged in *juvenile* court to have committed a delinquent act — an action for which an adult could be prosecuted in criminal court.

Dependent minor. A person aged 17 or younger whose parents or guardians are deceased or disabled.

Design capacity. The number of inmates that a correctional facility was originally designed to house or currently has a capacity to house as a result of planned modifications, excluding extraordinary arrangements to accommodate crowded conditions.

Detainer bond. A type of *bond* in which the *defendant* is required to post money or property to secure release pending trial. Typically, 10 percent of the full bond amount must be posted, or the defendant will be detained in the county *jail* until the case is resolved or until the bond is reduced and then met. See also *individual recognizance bond.*

Determinate sentencing. A type of sentencing structure enacted in Illinois in 1978. Under determinate sentencing, each offender is sentenced to a fixed number of years in *prison* without the possibility of *parole.* Sentences can be reduced only through the accumulation of *good-conduct credits.* See also *indeterminate sentencing.*

Discretionary transfer. The optional movement of a suspected *juvenile* offender to adult court for prosecution. In Illinois, a *state's attorney* may ask a juvenile court judge to transfer to adult court any juvenile aged 13 or older who has been charged with an offense that would be a criminal act if committed by an adult. The discretionary transfer occurs only after a *702 hearing* has been conducted. State law also provides for the *automatic transfer* of juveniles accused of certain very serious crimes.

Disposition. Generally, an action by a criminal or juvenile justice agency that signifies that a portion of the justice process is complete and jurisdiction is terminated or transferred to another agency. In most cases, "disposition" refers to the ultimate outcome of a criminal case. See also *defendant disposition.*

Double-celling. The practice of housing two or more inmates in a space originally designed for one.

DSP. See *Illinois Department of State Police.*

Emancipation. The status that describes any minor aged 16 or older who has been completely or partially emancipated under the Emancipation of Mature Minors Act (Ill.Rev.Stat.1985, ch. 40, par. 1102), and is therefore allowed to live wholly or partially independent from parents or guardians, to enter into legal contracts, and to exercise other rights ordered by the court.

Executive clemency. An action by the Governor in which the severity of punishment of a single person or a group of person is reduced or the punishment is stopped altogether. In Illinois, executive clemency includes both *commutations* and *pardons.*

Extended absence. See *extended or authorized absence.*

Extended or authorized absence. The status of a *juvenile* who is in *institutional custody* with the *Illinois Department of Corrections*, but who is on a specialized leave program.

Felony. A criminal *offense* that is punishable by a sentence in state *prison* of one year or more or by a sentence of death.

Felony defaulters. Former *prison* inmates who are on *mandatory supervised release*, but who then violate the conditions of their release; felony defaulters may be returned to prison to complete their original sentence.

Felony review. The process by which *state's attorneys* and their staffs review cases for possible *felony charges* and decide what prosecutorial action, if any, should be taken.

Flat-time sentencing. See *determinate sentencing*.

Forced-release. A program, in effect in Illinois from June 1980 until July 1983, designed to control *prison* crowding. Under forced-release, certain non-violent offenders were released from prison sooner than they would have otherwise been. This occurred because the inmates were awarded multiple increments of 90-day meritorious *good-conduct credits*, in addition to the regular day-for-day credits inmates can earn.

Good-conduct credit. An amount of time deducted from the overall time a *prison* or *jail* inmate serves in detention, usually earned through good behavior during incarceration. In Illinois, state prisoners can earn one day of "good time" for each day they spend in prison, plus one block of 90 days meritorious good time. Jail inmates can also earn one day of good time for each day in jail.

Grand jury. A body of persons who have been selected to hear evidence against accused persons and to determine whether the evidence is sufficient to bring those persons to trial, to investigate criminal activity generally, and to investigate the conduct of public agencies and officials. Ordinarily, a *state's attorney* presents the grand jury with a list of *charges* and evidence related to a specific criminal event, and the grand jury must decide whether or not to return an *indictment*.

I-bond. See *individual recognizance bond*.

IDOC. See *Illinois Department of Corrections*.

Illinois Appellate Court. The first court of appeal for all cases adjudicated in the *Circuit Courts*, except for cases involving the death penalty. There are five Appellate Court districts and 43 Appellate Court justices in Illinois.

Illinois Attorney General. Illinois' top legal officer, who is elected to a four-year term by the voters statewide. Although involved primarily in civil matters, the Attorney General's Office initiates some criminal proceedings (for example, violations of anti-pollution laws) and represents the state in criminal appeals before the *Illinois Supreme Court* and the U.S. Supreme Court. The office also investigates claims under the state's *Crime Victims Compensation Program*.

Illinois Court of Claims. A seven-member court that hears and determines various allegations against the state, including cases regarding contractual disputes, torts committed by agents of the state, and time unjustly served by innocent persons in state *prison*. The Court of Claims also has authority to render decisions and make awards to violent crime victims under Illinois' *Crime Victims Compensation Program*.

Illinois Department of Children and Family Services. A state agency that seeks to protect children and strengthen family life. Various young people who enter the *juvenile* justice system — *abused minors*, *addicted minors*, *dependent minors*, *minors requiring authoritative intervention*, and *neglected minors* — may be referred to DCFS for treatment or residential placement.

Illinois Department of Corrections. The state agency responsible for the care, custody, and treatment of all persons sent to state *prison*. IDOC also monitors offenders in *community correctional centers*, provides custody and care for *juveniles* committed by the courts, and sets standards for and inspects local *jails*, among other things.

Illinois Department of State Police. The chief state-level law enforcement agency providing police protection and enforcing criminal statutes in Illinois. DSP is responsible for such activities as patrolling state highways, investigating major crimes (such as large-scale drug offenses), and assisting local law enforcement agencies with short-term needs. DSP also compiles *Illinois Uniform Crime Reports* and maintains the state's *Computerized Criminal History system*.

Illinois Supreme Court. The highest tribunal in the state, which hears selected appeals from the *Illinois Appellate Court* and which oversees the operations of all subordinate courts in the state through its *Administrative Office of the Illinois Courts*. The Supreme Court includes seven justices who are elected to 10-year terms by voters in the justices' respective Appellate Court districts.

Illinois Uniform Crime Reports. A statewide program operated by the *Illinois Department of State Police* to collect police-level crime statistics — including *offenses*, *arrests*, and employment data — from local law enforcement agencies throughout Illinois. *Uniform Crime Reports* are collected nationally by the Federal Bureau of Investigation.

Incident-level reporting. A method of reporting *Uniform Crime Reports* in which local law enforcement agencies submit detailed information about individual *offenses* and *arrests*, not just monthly summaries. Illinois is one of only a few states to require incident-level reporting in its state *UCR* program.

Indeterminate sentencing. A type of sentencing structure used in Illinois until 1978. Under indeterminate sentencing, the commitment is not for a single specific period of time (such as three years), but is instead for a range of time (such as two to five years). In addition,

prisoners are generally eligible for release on parole after serving only a fraction of their sentences. See also *determinate sentencing*.

Index aggravated assault. See *aggravated assault*.

Index arson. See *arson*.

Index burglary. See *burglary*.

Index crime. See *Crime Index*.

Index larceny/theft. See *larceny/theft*.

Index motor vehicle theft. See *motor vehicle theft*.

Index murder. See *murder*.

Index robbery. See *robbery*.

Index sexual assault. See *sexual assault*.

Indictment. A written statement, presented by a *grand jury* to a court, which charges a specific person or person with the commission of an *offense*.

Individual recognizance bond. A type of *bond* in which the *defendant* is not required to post money or property to secure release pending trial, but is instead released on a pledge that the defendant will appear at future court proceedings. Defendants who receive I-bonds may still be liable to the court for a specified bond amount should they fail to appear in court. See also *detainer bond*.

Information. A verified written statement, signed by a *state's attorney* and presented to a court, which charges a specific person or persons with the commission of an *offense*.

Institutional custody. The status that describes a *juvenile* who has been committed by the courts to the *Illinois Department of Corrections* and who is in an IDOC *youth center*, on *extended or authorized absence*, or under *administrative placement* or in *administrative custody*.

Intake screening. The process, administered jointly by *probation* and *state's attorney's* personnel in a county, to initially determine what should be done in a *juvenile* case referred by the police. Intake screening personnel have four options: recommend that a *delinquency petition* be filed in juvenile court, make an informal adjustment, place the juvenile under supervision, or move to have the case transferred to adult court through a *702 hearing*.

I-UCR. See *Illinois Uniform Crime Reports*.

Jail. A confinement facility, usually operated by a county or individual municipality, that detains both suspects awaiting trial, offenders sentenced to less than a year of incarceration, and offenders awaiting transfer to the state prison system.

Judicial circuit. A geographic area, usually containing several counties, in which trial courts (*Circuit Courts*) are located. There are 22 judicial circuits in Illinois.

Jury trial. In criminal proceedings, a trial in which a jury is impaneled to determine the issues of fact in a case and to render a verdict.

Juvenile. Any person subject to juvenile court proceedings because of a statutorily defined event or condition caused by or affecting the person. In Illinois, a "juvenile" is typically anyone under the age of 17, although some suspects younger than age 17 can be processed in adult court and some persons older than 17 can be handled in juvenile court.

Larceny/theft. An *index crime* for the unlawful taking or stealing of property or articles without the use of force, violence, or fraud. Index larceny/theft also includes attempted theft, burglary from a motor vehicle, and attempted burglary from a motor vehicle.

Length of stay. The time an offender is incarcerated, including the time spent in state *prisons*, county *jails*, mental health facilities, and *juvenile* institutions while under the auspices of the *Illinois Department of Corrections* for the current *offense*.

Mandatory supervised release. The system under which offenders who complete *determinate sentences* in Illinois are conditionally released from *prison*. Previously, offenders who served *indeterminate sentences* were released on *parole*. Under determinate sentencing, prisoners who complete the sentences imposed by the courts (minus any *good-conduct credits* they earn) must be released from prison and placed under supervision.

Minor requiring authoritative intervention. A person aged 17 or younger who has run away from home or who is so far beyond the control of parents or guardians that the young person's physical safety is in danger. An MRAI is someone has refused to return home and cannot agree with parents or guardians on alternative, voluntary, residential placement.

Misdemeanor. A criminal offense for which a sentence of imprisonment of less than one year, in a facility other than a state *prison*, may be imposed.

Motor vehicle theft. An *index crime* for the unlawful taking or stealing of a motor vehicle (automobile, truck, bus, and other vehicle), or the attempted theft of a motor vehicle.

MRAI. See *minor requiring authoritative intervention*.

MSR. See *mandatory supervised release*.

Murder. An *index crime* for the willful killing of a person.

Index murder also includes voluntary manslaughter, in which a person's death is caused by the gross negligence of any individual other than the victim.

Neglected minor. A person aged 17 or younger who does not receive necessary support or education or who is abandoned by parents or guardians.

No true bill. The decision by a *grand jury* not to return an *indictment* against a *defendant* based on the allegations and evidence presented by the *prosecutor*.

Nolle prosequi. A formal entry on the court record that indicates the *prosecutor* will not pursue the action against the *defendant*.

Non-conviction disposition. Cases in which the *defendant* is acquitted at trial and cases that are dismissed during *pretrial proceedings*.

Non-index crimes. Approximately 200 crimes, besides the eight *index crimes*, for which the *Illinois Department of State Police* collects *offense* and *arrest* data. These 200 crimes range from relatively minor offenses (for example, playing dice games) to some more serious crimes (aggravated kidnapping), and from very infrequent crimes (criminal defamation) to more common ones (possession of cannabis).

OBTS. See *offender-based transaction statistics*.

Offender-based transaction statistics. Criminal justice statistics that are recorded in such a way that the identities of offenders (and suspected offenders) are preserved throughout data collection and analysis. This method provides a mechanism for linking events in different parts of the criminal justice system and for analyzing the "flow" of offenders and alleged offenders through the system.

Offense. An act committed or omitted in violation of a law forbidding or commanding such an act.

Offense class. The statutorily defined grouping of different criminal *offenses* for purposes of establishing severity and criminal sanctions. In Illinois, there are six classes of *felony* offenses — *Class M*, *Class X*, and Classes 1 through 4 — and three classes of *misdemeanor* offenses — Classes A through C.

Offenses actually occurring. An *I-UCR* classification that equals the number of *offenses known to the police*, minus both *unfounded offenses* and *offenses referred to another jurisdiction*. "Offenses actually occurring" is the most commonly used I-UCR crime statistic, and when crime figures are published with no other definition, they are usually offenses actually occurring. In this report, "offenses actually occurring" (in I-UCR terminology) are called *reported offenses*.

Offenses known to the police. An *I-UCR* classification for all crimes that come to the attention of law enforcement authorities. Note that "offenses known to the police" do not necessarily equal *reported offenses*.

Offenses referred to another jurisdiction. An *I-UCR* classification for crimes that come to the attention of law enforcement authorities in one jurisdiction, but are determined, upon further investigation, to have actually occurred in another jurisdiction.

Pardon. A type of *executive clemency* in which an offender is released from further punishment for a crime. See also *commutation*.

Parole. The system under which offenders who serve *indeterminate sentences* in Illinois are conditionally released from *prison*. Under indeterminate sentencing, offenders are given parole hearings every few years to determine their eligibility for being released. Once released, these offenders are placed under supervision by the paroling authority. Parole was replaced by *mandatory supervised release* when *determinate sentencing* was implemented in Illinois in 1978.

Plea. A *defendant's* formal answer in court that the defendant is guilty or not guilty to the *offense* charged, or does not contest the *charge*.

Plea conference. The pretrial setting in which *plea negotiations* take place.

Plea negotiations. *Pretrial proceedings* in which prosecutorial or judicial concessions — commonly a lesser *charge*, the dismissal of other pending charges, a recommendation by the *prosecutor* for a reduced sentence, or a combination of concessions — are offered in return for a *plea* of guilty from the *defendant*.

Preliminary examination. See *preliminary hearing*.

Preliminary hearing. A *pretrial proceeding* held to establish *probable cause* in any criminal case initiated through an *information*.

Pretrial detainee. Someone suspected of or charged with a crime who was either denied *bond* or could not meet the bond amount that was set, and is therefore detained in *jail* while awaiting trial.

Pretrial proceedings. A general term for the series of judicial proceedings — *bond hearing*, *preliminary hearing*, *arraignment*, *plea conference*, etc. — that occur before a criminal trial commences.

Prison. A state confinement facility operated for the detention and correction of adjudicated felons in Illinois. See also *jail*.

Prison admissions. The number of inmates entering

prison, including both offenders newly sentenced by the courts and *felony defaulters*.

Prison capacity. See *design capacity* and *rated capacity*.

Prison releases. The number of inmates leaving *prison*, including all inmates who receive *mandatory supervised release*, *parole*, or other types of discharges.

Probable cause. A set of facts and circumstances that would induce a reasonably intelligent and prudent person to believe that a crime had occurred and that a particular person had committed it.

Probation. The conditional freedom a judicial officer grants to an alleged or adjudicated offender, as long as the person meets certain conditions (enrolling in a treatment program for substance abusers, for example).

Property crime. A general classification for the four *index crimes* of *burglary*, *larceny/theft*, *motor vehicle theft*, and *arson*.

Property index crime. See *property crime*.

Prosecutor. See *state's attorney*.

Public defender. An attorney employed by a government agency, or by a private organization under contract to a unit of government, for the purpose of providing defense services to indigent *defendants*.

Rape. See *sexual assault*.

Rated capacity. An administrative determination of the maximum number of inmates who can be housed and provided with basic services in a correctional institution.

Releases. See *prison releases*.

Reported offenses. Those *offenses* that are known to the police, minus any *unfounded offenses* and *offenses referred to another jurisdiction*. In this report, "reported offenses" are the same as *offenses actually occurring* (in *I-UCR* terminology).

Robbery. An *index crime* for the taking of, or attempt to take, anything of value from the care, custody, or control or a person by force or threat of force or violence.

702 hearing. A *juvenile* court hearing to decide whether a case involving a juvenile aged 13 or older who is suspected of a serious crime should remain in the juvenile system or should be moved to adult court for prosecution. See also *discretionary transfer* and *automatic transfer*.

Sexual assault. An *index crime* covering all sexual assaults, completed and attempted, aggravated and non-aggravated. Until 1984, "rape" was defined as the carnal knowledge of a female, forcibly and against her will. On July 1, 1984, Illinois' sexual assault laws became gender-neutral and the old concept of rape was broadened to include many types of sexual assault.

SHR. See *Supplementary Homicide Reports*.

State's attorney. The highest-ranking law enforcement officer in each county in Illinois. The state's attorney, who is elected to a four-year term by the voters in the county, commences and carries out all criminal proceedings in the county and deals with some civil matters as well.

Station adjustment. An informal *disposition* in a *juvenile* case issued by law enforcement officers in lieu of proceeding with formal court action. Station adjustments can be simple (requiring a juvenile to cooperate more closely with parents or guardians) or detailed (assigning a juvenile to a structured rehabilitation or counseling program), and they are not legally binding.

Status offenders. *Juveniles* whose behavior violates the law only because of their status as juveniles. For example, running away is a "status offense" because the status of the perpetrator — being a minor — is a necessary element of the offense, since the same behavior by an adult would not violate the law.

Statutory class. See *offense class*.

Supervision. A type of court *disposition* in which a *defendant* is not adjudicated guilty, but agrees to certain terms set forth by the court (psychiatric or drug treatment, for example) in exchange for the possible dismissal of *charges* in the future (Ill.Rev.Stat.1985, ch. 38, par.1005-6).

Supplementary Homicide Reports. An *I-UCR* data set that contains detailed information about every homicide in Illinois, including information about victims, offenders, circumstances of the crimes, and weapons.

Sworn law enforcement officer. An employee of a law enforcement agency who is an officer sworn to carry out law enforcement duties, including *arrests*.

Trial disposition. A *disposition* — either a conviction or an acquittal — resulting from a criminal trial. This category does not include cases that are dismissed during *pretrial proceedings*. See also *non-conviction disposition*.

UCR. See *Uniform Crime Reports*.

Unfounded offenses. An *I-UCR* classification for incidents that were originally reported to the police as crimes, but which further investigation indicates that no crimes actually occurred.

Uniform Crime Reports. A nationwide program operated by the Federal Bureau of Investigation to collect police-level crime statistics — including *offenses*, *arrests*, and employment data — from local law enforcement agencies throughout the country. In Illinois, UCR statistics are compiled by the *Illinois Department of State Police*. See also *Illinois Uniform Crime Reports*.

Victim impact statement. A written statement, prepared by a crime victim in conjunction with the state's attorney's office and presented orally at a sentencing hearing, that describes the impact of the offender's behavior on the victim. The court must consider this statement, along with all other appropriate factors, in determining the offender's sentence.

Victim-witness coordinator. A person, usually employed by a *state's attorney's* office, who provides support to crime victims and witnesses throughout the court process. Services typically provided by victim-witness coordinators include the following: orientation to the operations and physical layout of the court; explanation of the roles of judges, *prosecutors*, and defense attorneys; and assistance in activities outside court, such as completing compensation forms and securing follow-up services in community programs.

Victims' bill of rights. See *Bill of Rights for Victims and Witnesses of Violent Crime*.

Violent crime. A general classification for the four *index crimes* of *murder*, *sexual assault*, *robbery*, and *aggravated assault*.

Violent index crime. See *violent crime*.

Warrant calendar. A device for documenting criminal cases that have been temporarily suspended because the *defendants* have failed to appear in court as required. It is called a "warrant" calendar because an *arrest warrant* has been issued for the defendant in this type of case.

Youth center. An *Illinois Department of Corrections* detention facility for housing some *juveniles* in *institutional custody*.

APPENDIX B

Projection Methodology

This appendix explains how the offense and arrest predictions for 1987 through 1990, presented in Chapter 1, were calculated. Keep in mind that, just as with the historical offense and arrest figures included in this report, all projections refer to reported index crimes.

HOW WERE OFFENSE PROJECTIONS CALCULATED?

Projections of the number of offenses expected in Illinois from 1987 through 1990 were calculated for three geographic areas — Chicago, the "collar counties" (DuPage, Kane, Lake, McHenry, Will, and suburban Cook), and the remainder of the state — and for seven index crimes — murder, sexual assault, robbery, aggravated assault, burglary, larceny/theft, and motor vehicle theft (arson was not included in either the historical figures or the projections because statewide data are not available before 1981). Therefore, 21 different offense projections were calculated (seven crimes in each of three geographic areas).

Although the offense projections in this report are presented for each year, they were calculated using monthly data. A statistical method called ARIMA was used to identify a model for each type of crime within each geographic area. This model was the best description of previous month-to-month offense patterns — that is, the relationship between the number of offenses in each month and the number in the preceding months. Assuming the same patterns will continue in the future, offenses for each month from January 1987 through December 1990 were projected. These monthly projections were then totaled to produce the yearly figures presented in this report.

The assumption that past patterns will continue in the future is much more valid for the near future than for the long term. Therefore, readers should have more confidence in the offense projections for 1987 than in the 1990 predictions. Details of each of the 21 models and monthly projections are available from the Authority.

Population was *not* taken into account in the offense projections because preliminary analysis revealed no consistent relationship between changes over time in the number of people in each geographical area and changes over time in the number of offenses occurring in those places. The only information used to predict future offenses was past offenses. In other words, these projections are the simplest, most basic ones possible. They do not account for any variable — unemployment trends or changes in the age, race, or gender distribution of the population, for example — that might affect future offense totals.

In addition, the offense projections do not take into account the possibility of changes in crime-reporting practices, such as the change that occurred in Chicago in 1983 and 1984 or the statewide change from "forcible rape" to "criminal sexual assault" in July 1984. Because of the dramatic change in how the Chicago Police Department counts offenses, readers should have more confidence in the projections for the collar counties and the rest of Illinois than in the predictions for Chicago. Similarly, because of the change in the definition of rape/sexual assault, projections of this crime in any of the three geographic areas will be rough.

HOW WERE ARREST PROJECTIONS CALCULATED?

The method of calculating arrest projections was com-

pletely different from the method of calculating offense projections. The arrest projections were not done within separate geographic areas; rather, they covered the state as a whole. And while offense projections were done for individual index crimes, the arrest projections covered total violent index crime and total property index crime. The violent crimes analyzed are murder, criminal sexual assault, robbery, and aggravated assault; the property crimes are burglary, larceny/theft, and motor vehicle theft. As in the offense projections, arson was not included in the arrest predictions.

In contrast to the offense projections, which were based on no information other than past offenses, the arrest projections took into account the number of people in the state's population who were considered to be in the "crime-prone" age groups. Because population data are available only as yearly totals, not as monthly figures, previous month-to-month arrest patterns could not be described. Instead, arrest rates were calculated for different age groups for every year from 1972 through 1986. The year-to-year pattern of these arrest rates was then described (see Figures 1-23 and 1-24 in Chapter 1).

Using population projections from the Illinois Bureau of the Budget for each age group through 1990, and assuming that future arrest rates for each age group will be similar to past arrest rates, the likely numbers of arrests were calculated for each age group in each year from 1987 through 1990. By adding up the anticipated number of arrests involving all four age groups, the total numbers of arrests for violent crimes and for property crimes were derived.

Arrest rates were calculated for seven different age groups: children aged 9 and younger, 10- to 16-year-olds, 17- to 19-year-olds, 20- to 24-year-olds, 25- to 29-year-olds, 30- to 59- year-olds, and people aged 60 and older. ("Arrest" rates for juveniles aged 16 and younger actually represent the rates at which these young people are "taken into custody." In a strict sense, these rates are not comparable to adult arrest rates, but are presented here for reasons of comprehensiveness only. For more information about juvenile "arrest" statistics, see Chapter 5.) In national UCR data, these age groups consistently exhibited differences in arrest rates for every index crime (see *Age-Specific Arrest Rates, 1965-1983*, Federal Bureau of Investigation, 1984). Age-specific arrest rates are calculated by dividing the number of arrests for a specific age group by the number of people in that age group for a certain year. However, not all figures in Chapter 1 show arrests or arrest rates for the 9-and-younger or the 60-and-older age groups because the numbers are too low for meaningful analysis.

A major issue in calculating the arrest projections was the choice of the arrest rate to be used as the basis for the predictions in each age group. As expected, age-specific arrest rates vary greatly across the different age groups. The chance of arrest is always highest for the 17- to 19-year-old age group — for every year and for both violent and property crimes (the 1972 property crime arrest rate for 10- to 16-year-olds is probably artificially high because of a change in definition). However, rates within each age group also vary considerably from year to year. In fact, the year-to-year fluctuation in arrest rates within a single age group was often greater than the difference in arrest rates for different age groups. Furthermore, the arrest rates did not increase or decrease in a smooth pattern from year to year; instead, they often changed radically from one year to the next.

Therefore, to predict the number of arrests in 1990 for a specific age group, the fact that the propensity for people in that group to be arrested was much higher in some years than in others had to be accounted for. If we assume a high age-specific arrest rate in 1990, the predicted number of arrests will be much higher than if we assume a low age-specific arrest rate.

The rates for violent crime arrests followed a completely different pattern over time than the rates for property crime arrests. This overall difference in patterns occurred for all age groups. Between 1972 and 1986, the highest violent crime arrest rates for every age group occurred in the early years, from 1972 through 1975, and the lowest rates occurred in later years, 1984 and 1985. (Violent crime arrest rates for 10- to 16-year-olds are an exception. They fluctuated relatively little over time, peaked in both 1974 and 1981, and were lowest in 1977. The pattern over time was completely different from the arrest rate patterns of all of the older age groups.) Furthermore, the arrest rates in the peak years were substantially higher than the rates in the low years. For example, the highest violent crime arrest rate for people aged 17 to 19 was 859 arrests per 100,000 17- to 19-year-olds in 1974; the lowest violent crime arrest rate for this group was 407 arrests per 100,000 in 1985.

Arrest rates for property crimes followed the opposite pattern over time. The highest age-specific arrest rates generally occurred in the most recent years — 1980 through 1986 — while the lowest rates for every age group were recorded in 1972 or 1973. (The lowest property crime arrest rate for 10- to 16-year-olds occurred in 1973, when it was 2,720 per 100,000 population; the rate for children aged 9 and younger peaked in 1975.) Although the property crime arrest rates increased during the mid-1970s, they were low again in 1977. For example, the peak property crime arrest rate for 17- to 19-year-olds was 3,698 arrests per 100,000 population in 1980; the rate was 3,032 in 1977 and 2,005 in 1972.

If we assume that the age-specific arrest rates of

the 1980s will continue through 1990, we can expect a low number of arrests for violent crimes and a high number of arrests for property crimes in the coming years. This would occur because, for violent crimes, we would be assuming that the lowest arrest rates over the 1972-through-1986 period will prevail in 1990. For property crimes, we would be assuming the opposite: that the highest arrest rates over the 14-year period will predominate. However, neither assumption is probably correct.

As a choice of the single "most likely" set of arrest rates for calculating projections, we used an *average* of the arrest rates for each age group during the six years from 1981 through 1986. Thus, both violent crime and property crime arrest projections through 1990 were calculated using two pieces of information:

1) The projected number of people in the Illinois population who were in each age group in each year, based on projections by the Illinois Bureau of the Budget.
2) The average arrest rate for each age group for the years 1981 through 1986.

This "best guess" assumes that age-specific arrest rates between 1987 and 1990 will not differ substantially from the rates of the previous six years. However, actual arrest rates from 1972 through 1980 were often much higher or lower than arrest rates from 1981 through 1986. Therefore, the assumption that these earlier rates will not prevail in the future may not be supportable. Because most age groups had relatively low violent crime arrest rates and relatively high property crime arrest rates in the first half of the 1980s, the projections are probably low for violent crime arrests and high for property crime arrests.

Most age groups followed the same historical pattern over time in arrest rates. If this pattern continues in the future, the errors in projected arrests will probably be about the same for each age group. The projected number of violent crime arrests for each age group will be lower than the actual number of arrests in 1990 if arrest rates for violent crime return to the high levels of the mid-1970s. However, the relative number of people in each age group who are arrested in 1990 will probably be the same as our best-guess projection: the number of older arrestees will continue to increase through 1990 when compared with the number of younger people who are arrested.

In the same way, the projected number of property crime arrests for each group will probably be higher than the actual 1990 number if arrest rates for property crimes return to the low level of 1972 or even the relatively low level of 1977. Regardless of which pattern prevails, the number of older people arrested for property crimes will continue to increase, relative to the number of younger arrestees. From 1972 through 1981, younger people predominated among those adults arrested for property crimes in Illinois. In the 1980s, however, this pattern began to change, and by 1990, the most common age group for property crime arrestees will be 30- to 59-year-olds.

Under the best-guess assumption, there will be approximately 16,000 arrests for violent crimes and 94,500 arrests for property crimes in Illinois in 1990. However, the number of violent crime arrests could be much higher: if the age-specific rates reach the levels of the mid-1970s, the number of arrests in 1990 could exceed 24,000. Similarly, the number of property crime arrests could be lower if the low age-specific rates of 1977 return. In that case, the anticipated number of property crime arrests in 1990 will be less than 85,000.

Either scenario is possible. Given the rapid fluctuation of arrest rates in the past, there is no reason to assume they will not change as much in the future. In fact, there is reason to assume these rates will fluctuate as much in the future as they did in the past. Although the reason for the high violent crime arrest rates of the mid-1970s is not certain, it is reasonable to assume that a crackdown on violent crime might generate high arrest rates in the future. A change in policy, such as increased enforcement of drug offenses, could also affect future arrests for murder, assault, or robbery.

These arrest projections, then, reflect the actual variation in arrest rates since 1972, from the years with the lowest rates to those with the highest. These past rates were the result of both public-policy and societal changes that occurred at the time, and similar types of changes could easily happen again. If they do, the number of violent crime arrests in 1990 could be as low as 14,000 or as high as 24,000, while the number of property crime arrests that year could range from 85,000 to 105,000.

APPENDIX C

Using the Data

Although *Trends and Issues* is meant to be a comprehensive summary of criminal justice data in Illinois, there are some limitations to the data. Within each chapter, a section called *The Data* contains specific warnings about using or interpreting the statistics presented in that chapter. This appendix covers limitations on comparing information presented in *different* chapters of the report.

Because the report includes detailed information about every component of Illinois' criminal justice system — law enforcement, prosecution, the courts, and corrections — readers may be tempted to do a simple cross-comparison of data across the various system components. Such a comparison, using the latest data available in each chapter, might look something like this:

- Total felony arrests (1986): 73,054
- Total felony cases filed (1984): 43,391
- Total felony convictions (1985): 27,300
- Total felony sentences (1985): 26,803
- Total prison admissions (1986): 11,328

However, these numbers do not represent a single cohort of offenders or even arrest events. The figures are drawn from a variety of different agencies using different units of measurement. In addition, the figures cover different time periods. In no way do they represent the "flow" of people or cases through the state's criminal justice system. Trying to extract such a flow from these numbers, or from other statistics in this report, would be misleading.

Some basic data-quality problems prohibit simplistic comparisons and analyses across system components. For example:

- It is dangerous to analyze or compare summary, or aggregate, data. Typically, the greater the aggregation, the higher the likelihood of error. For example, most law enforcement statistics are generated at the local level; however, the courts maintain no local data but instead keep records at the county level. As a result, law enforcement statistics cannot be compared with court statistics unless they are summarized by county.
- The dates of the most recent data available tend to vary among agencies and jurisdictions. In many parts of this report, the most recent data come from 1986. However, certain statistics, such as the number of cases filed, are available only through 1984 in Cook County. In addition, some figures are for calendar years, while others cover state fiscal years (which run from July 1 through June 30). Comparing data from different years would be inappropriate and misleading.
- Certain agencies measures people; others measure cases. And even within the same agency, some statistics count people, while others count cases (for example, law enforcement agencies measure arrests

in terms of people and offenses in terms of cases). In addition, the merging of cases can result in the misrepresentation of system activity. For instance, one person can be arrested and charged with 20 offenses, but the final court action may reflect only one conviction. This difference between people and cases causes fundamental problems when trying to compare data across different types of criminal justice agencies.

- Pending cases within certain agencies, such as the courts, may carry over into subsequent recordkeeping periods. This makes it impossible to accurately compare data within that system component. For example, the aggregate data on felony convictions in a given year may include not only cases filed during that year but also pending cases filed in previous years. This problem also occurs in law enforcement: the offenses cleared in a given year may not necessarily correspond to the arrests made during that year.

The combined result of these and other considerations is that data from various sections of this report cannot be "synthesized" for easy comparison and analysis (for more information about this issue, see Carolyn R. Block, *How To Trace Crimes Through the Illinois Criminal Justice System*, Illinois Criminal Justice Information Authority, 1981).

Sometime in the future, however, such comparisons may be possible in Illinois through the use of offender-based transaction statistics, or OBTS. An OBTS system would track the activities of each offender from the time the person enters the system to the time the person leaves it. This, in turn, would support the type of aggregate data analysis that would allow researchers to answer questions such as the following: How many people are arrested each year? Of those, how many are charged in court? Of those, how many are convicted? and so on. In other words, an OBTS system would be an important step in solving the broad data-quality problems outlined in this appendix and in answering the cross-component questions that cannot be addressed in this report.

In the meantime, readers are warned against making simplistic data comparisons across different components of the criminal justice system. The data presented in each chapter of this report are useful in understanding how each part of the system works in Illinois. However, the data are not building blocks for larger, system-wide analyses.

Evaluation Form

Please help us evaluate the usefulness of *Trends and Issues* by answering the following questions. Then please tear out this page, fold it so that the address shows on the outside, seal it with tape, affix first-class postage, and return it to the Authority. Thank you very much for your cooperation.

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Editor's Note

Trends and Issues is not only one of the most comprehensive research reports ever published by the Authority, but also our most ambitious editorial project. The report has been designed as a versatile document to be used by a variety of readers. For some, such as students of criminal justice and interested citizens, it will serve as a primer on criminal and juvenile justice in the state. For others, including criminal justice professionals, legislators, and researchers, it will be a handy reference source. To help all readers, two editorial principles were followed throughout: a reliance on the graphic presentation of data and a non-technical, question-and-answer format.

Trends and Issues was created largely on the Authority's own desktop publishing system, which uses Macintosh Plus™ computers from Apple Computer Inc. All text was written and edited using Microsoft® Word, and most of the graphics were created using Microsoft® Chart and MacDraw™ (from Apple Computer Inc.). The entire report was then laid out with PageMaker® from Aldus Corporation. Drafts were printed on the Authority's LaserWriter Plus™ printer (from Apple Computer Inc.), and final camera-ready copies were run off on the Linotronic 300™ from Allied Corporation. Throughout the production process, very little outside typesetting was needed. This helped reduce costs and increase flexibility, without sacrificing quality.

While most of the editorial and graphics work was done directly by the Authority's editorial staff, the overall design was executed by the Chicago firm of Weingart/Anderson. Oscar Anderson in particular provided us with both his design and production expertise and the technical help we needed to set up the report on our desktop publishing system. *Trends and Issues* would not have been the same without Oscar's help.

Kevin Morison
Senior Editor

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